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1790 -

A Journal

of the Proceedings in the Executive Department

of the Government of the

Mississippi Territory

Under the Administration of

His Excellency Winthrop Sargent

Commencing

The twenty first day of May 1790.

62

1790 May 21 His Excellency the Governor was pleased to write the following private letter to the Secretary of State, and deem it necessary to be inserted in the Journal Viz:-

North Western Territory

Cincinnati 21st of May 1790

My Dear Sir,

I have just now had the honour to receive your favour of the 4th inst. and in one hour the Mail will close, so that I have not time so fully to express myself as I could wish, and as the attachment you so kindly express for me merits.

The confidence and good wishes of the President of the United States, personal respect and distinction even out of office,

1790 would be in a high degree grateful — With the Sentiments that Respect of Mr. Adams, I can know no greater happiness, than is Communicated by his honorary Distinctions of Confidence, and kept to my desire of aspiring to an elevated Station in the mind of the President, I assure you Sir, is my wish of being thought well of by yourself.

The Nomination you have been pleased to Signify unto me, would have given me pleasure from your having placed it to my view, so as to indulge the hope of those pursuits in future, which may promote my interest in this Country — but for the very infirm State of my health: I am indeed my Dear Sir, I assure you extreme sick — perhaps too much debilitated, to engage in those duties, that might even in better times be to me arduous, however my Dear Sir, you have expressed a wish, that if the appointment is made, I should accept it, — this also I must suppose to be the desire of the President, and in consequence I shall implicitly be governed by your instructions, if I can believe it amongst the probabilities that my state of health, may possibly admit of my discharge of those duties which shall be assigned me.

You will be good enough I trust to cause the Necessary arrangements to capacitate the Executive of the New Government to Organize the same with as much facility as possible, and for the necessary Distinction between Civil and Military — the powers of the Government in War &c — Laws of the United States — Journals of the Congress, — Laws of all the States of the Union, to give the Legislature an Election, would be highly useful, — Stationary, a Seal, Press, Blank Commissions &c, will Constitute a Necessary part of the Apparatus.

Before I received your Letter — indeed before the Arrival

1790 of Governour St. Clair, which was upon the 27th instant, I have been making my arrangements for leaving the Territory, even though his Excellency had not arrived — You will judge from this, my health must have been extreme bad, — indeed Sir, my situation was critical — I had maintained the Station too long my Physicians, and freinds, had declared to me a change to be necessary — Under these Circumstances, I had made up my mind upon a Northern Journey — a Voyage to the sea Coast as most Congenial to my feelings — I had determined to depositt the Public Records with a Captain Harrison, a Young Gentleman of Virginia, and of Education, Son to a former Governour of that name, long in the family of General Wayne, in a Confidential Character, and who for seven years I believe has sustained a fair, indeed unblemished Reputation as a Military Officer — A few weeks since he resigned, and from faith in the goodness, and propriety of his Principles, and Ability, I had placed in him the Confidence before expressed, and I am sure so, that I may venture to vouch, that he will not betray any trust, with which Government may honour him — indeed I think him a very deserving Young man.

In case of my appointment will it not be proper I should be furnished with a Military escort — I hope Government may be pleased to Consider that my expences at taking possession of the new Country, must be considerable, and make some provision therefor — The movement not being calculated upon has not by me been provided for — I leave my home and those little Conveniencies that have enabled me to live upon my former Salary, and I believe no man in Administration, will be unwilling to confess, that a Considerable sum of money must be actually due me for my services in this Country.

I have the honour to be with every Sentiment of Respect and esteem, Sir, your very humble Servant

The Honorable The Secretary of State (Signed) Winthrop Sargent

1790

Cincinnati 29th May 1790

Sir,

I have the honor to receive your letter of the tenth of May, and my Commission as Governour of the Mesisipi Terri-tory on the last evening. I trust that I am properly impres-sed by this mark of Confidence from the President and Senate of the United States, and will endeavour to discharge the duties of my Office in "integrity," and to the best of my abi-lities" but my present State of health which for a consider-able Time past has been opbreene, and causes some uneasy Apprehensions however for the immediate full discharge of _____ my duties. — And for the Absence of the Judges, and Secretary I have much regret.

First impressions are Strong — it will therefore I apprehend be unfortunate for our Government, should the Executive be Constrained to visit the Mesisipi Territory without the Judges. The people have been Anticipating that which is not in the Governours power to bestow.

The pleasure of Government however as expressed to me by you Sir, shall be my guide, and I will delay no longer than to be furnished with necessary transportation; — General Within-ton is expected immediately, and to him I shall apply for the same.

Lest there should become hesitation upon this point, which however I should not expect, I take leave Sir to request, that directions may be given on point, and if previous Recommenda-tions should be obtained, they can create no ill.

I have only further to observe Sir that I have not a Competent knowledge of the ostences of the Southern Indian Depart-ment — If Considerable it is essential provision should be made therefor, as I have it not in my Power at present to make

make Advances, through proper disposition
the Publick interests.

I have to request that Seal, Pens, Stationary, and
Bank Commissions may be forwarded as soon as possible
for the Mississippi Territory, and the sums which were
transmitted from the Southwestern Territory to your
Office in 1789, I think will be found sufficiently adapted
— Poyntell living on Chestnut Street Philadelphia
has been the Printer of some of them.

With very great respect I have the honour to be,

Sir,

your very humble Servant,

(Signed) Winthrop Sargent.

The Honorable

The Secretary of State.

His Excellency the Governor was pleased to write the following private letter to the Secretary of State, and deems it necessary to be entered on the Journal Viz.

Cincinnati 29th May 1790

My Dear Sir

In reponse to one of your private letters of the 9th inst.
my respect and esteem impel me to repeat my Assurances, that
nothing but a sense of duty and absolute Necessity, could have
Construed me to have been so very importunate, as I must
have appeared to be, in mine of the 16th ult.: For I could readily
conceive of the importance, and Multiplicity of your engage-
ments, rendering expected attention to the Affairs of this Ter-
ritory impossible — I hoped however as I was at all times, by

all

1790 all opportunities, upon the subjects on which I addressed you at that date, and apprehensive for consequences, I could not avoid reiterating my wishes, or now as am soliciting, that the Depositions relative to horses, stolen from Kaskaskia and Richardson by the Indians, may be transmitted to Govr. now St. Clair, so soon as you may find it Convenient. of this and attention to all other matters that may regard it, I rest perfectly assured, and that the same will be bestowed so soon as superior demands can anywise render it practicable.—I feel anxious that all concerns of the Territory (notwithstanding I am about to leave it) and which have been produced in my Administration of Government (more particularly I should have a speedy and happy issue.—I am closing the Journals of the Executive and shall send forward a Copy by next Mail, that my Secretary's duty may be all fair and in order; the same however would not have been due until the last of June—The records and public papers will immediately be put into the hands of William H. Harrison Esquire of this place, as I had the honour of advertizing you in my last.—

And now my Dear Sir to respond to the important private Letter of the before mentioned date—I do indeed "accept your remarks in good part" and you can not confer on me more obligation than by Continuing them—They may be honorable to myself, and useful to the New Government.

The footing upon which Govornour Gayoso lived with the Inhabitants of the Natchez, it may not be exactly in my power to observe, from the difference between American, and Spanish Appointments, and which

cannot

1790 must be as well, or little known to you than myself; how-
ever cheerfully under such, occasional sacrifices, as my
Circumstances may admit for the interest of Government, and it
shall be my study to conciliate, and attach all parties to the
United States.
The opposition to my appointment, and the News of which had pre-
ceded the same, was more than a little mortifying to me; as it
was however, only because I have been an "Easern Man" the effect
thereof are done away, and to declare myself honestly (which
perhaps I am too prone to) I should have felt myself infinitely
more honored in one single Nomination to a Dignified
Trust, than dishonored or mortified, by half a Dozen Reject-
-ons, notwithstanding my high respect for many Members
of the Senate; and that I every day thank God, for this branch
of our Government.— May I Sir, upon this occasion, solicit
you to present my Acknowledgements to the President— his
Moments are too precious for any immediate Address, and
with all the respect and Admiration, that it is possible for
me to feel for the most Dignified Character in the Union,
I should believe under the impressions of gratitude for the
very highest favour, always be impelled to silence, because
I would not even hazard intrusion.

I have the honour to be,

My Dear Sir,

with very respectful esteem,

your Obedient humble Servant.

(Signed) Winthrop Sargent.

I am extreme desirous we should
be possessed of the Laws of all the States,
even though the same should be at my own expence

P.S. Of what Indians has the Governour Superintendency

1790 I had believed Col° Hawkins was a general Superintendent for the Southern Department,— No doubt I shall receive instructions as to the particular treatment of the Indians within my Agency, but I beg Sir you to bear the subject in mind— You have had enough to do with them for to determine they are a troublesome, as well as a very expensive people— Are they Savages to be Courted, (with due respect to ourselves) or kept at a distance?— Will it not be advisable that an early attention be given to the Land claims upon the Mississippi?— I am told Gayoso was extreme liberal in Grants ere his Departure.

Signed Wm Sargent.

The Honorable
Secretary of State.

His Excellency thought proper to write to the Secretary of State a Letter as follows Viz.

Cincinnati June 11th 1798

Sir

I have had the honour of receiving your Letter of the 13th Ult with instructions for my Conduct as Superintendent of Indian affairs in offences committed against the people of the United States by the Indians, and shall as in duty bound, follow the same as an unerring guide,— having in mind however at all times, your Suggestions as they relate to Col° Hawkins, to whose merit I am no Stranger. Permit me to ask though Sir, if it be not possible that with the best disposition to the public Weal in us both, there

may

1790 may not be such "clashing of our Powers" as may [illegible] quence and injury, and if so whether the same should not be early provided against.

Col.o Hawkins being considered by the Indians as Superintend might it not by them be insisted on that all demands in favor of the White People should pass through him to the Operation of such delay (if he happened to be distant) as might be a matter of real grievance? — And are there not indeed, many other very obvious ills to be apprehended?

It will be my special duty to conciliate the good will of White and red People, and I will endeavor to perform it. — The latter are in Numbers very frequently at the Natchez, and always I believe, expect to be fed by a Patronizing Country, — as well as to receive some small presents. Will you Sir, be kind enough to give this Subject due attention, and give me some rule of Conduct.

With very great respect I have the honour to be,

Sir,

your most Obedient humble Servant,

(Signed) W.m Sargent.

The Hon.ble Secretary of State.

His Excellency the Governour wrote to the Secretary of State a Letter as follows Viz.

Cincinnati June 16th 1798.

Dear Sir,

General Wilkinson arrived here the Evening before last and has assured me of Accommodation to descend the River in a very few days, so that you will not probably hear from me at this place. — My health is not by any means established

1790 es tablished, I am apprehensive that a more Southern Climate may incapacitate me from duty, at least for a time, but I should nevertheless have gone forward 'ere this had it been in my power — I mention the State of my health to impress upon you most strongly the Necessity that the Officers of the Government, should speedily repair to the Territory — The presence of the Judges can not be dispensed with, and I had flattered myself, that Mr. Tilton would have been on the way, but am told he is gone into New Hampshire.

From the best intelligence I have been able to procure, there prevails in the Country of our destination, a refractory and turbulent Spirit, with Parties headed by men of Perspicacity and Cunning. — They have run wild in the recess of Government and the very moments delay in adoption of rules and regulations after the Ordinance be Shall be promulgated amongst them, must be productive of growing vile, and discontent.

I am anxious to know who is the first Judge, and that he should be on his way to this Country; I trust he will be a Law Character — of Strictest integrity, of Converse with all the States National and a man unconnected in Land Speculations, and that I shall make the duties of his Office, the Primary Consideration. — The Supreme Court, a Court from whose Judgment there can be no Appeal should no more lack legal information than integrity. The Indian Business as it at present stands, embarrassed between Col.o Hawkins and myself, I beg leave to recommend to your Serious Consideration, — I have said much to you thereupon in several Private Letters but it may not be

Amiss

1790 amiss to repeat.— All doubtful cases certainly Should receive Legislative interposition, and though I am not unpious of those concerns which will be always attended with fatigue and perplexity, yet I am desirous of duly filling every Station, to which I may be appointed; and as Superintendent I am sure you could not wish me a more Cipher— Those Observations are made with a view also to the Military; very Subaltern Officers, (I know not under what Authority) are instructed to Pacify, and possessed of the endowments to "Conciliate" to render them important amongst the Indians, whilst the Superintendent is not Capacitated to make unto them even the Smallest Present— May not the toleration of such proceedings open a door for monstrous abuses.— I have known at Detroit 1,000 Rations per day issued to the Indians, and at Advanced Posts, this Business Submitted to Military, and very Subaltern Officers discretionary, in whom I had no Confidence, at the Same time that myself though the Legitimate Superintendent of Indian affairs for the N. Western Territory, was even forced to deny the Ottowa Indians from the Village of Arbre-croche Hungry in the extreme, even a morsel of Bread; at a visit there made one year afterwards by General Wilkinson who was clothed with the means Some handsome presents were made, and will not all this induce, Comparison unfavourable to your Superintendent, who for the interests of our Country, is to Certainly be in high estimation with the red People?

One other matter also at present will I take leave to introduce, and which I have before presumed to hint at,— The Mississippi Territory, in case of hostility with France, must probably be a Theatre of War,— The Governour is commander in chief of the Militia— The Commanding General of the Regular Troops may not be there— the Officer in chief may be a Colonel, or

be

1790 he may be a Captain.— With Troops operating together, there should be but one head, and although I might be willing to sacrifice almost any thing to the Nations weal, yet Military Pride and Tenacity, are not always to be controuled.— Your Experience my Dear Sir, in Actual Service, and extensive reading in those Subjects so very important to a Soldier, abundantly inform you to advise, to instruct, and most earnestly solicit the same, as also that you would use your influence for the due legal regulation in every doubtful case.

I most ardently pray that a regular communication by Post may be established, between the general Government and Natchez.

As a formal Letter requesting blank Commissions might be sent, may have miscarried, I take leave to request that 400 Printed forms for Military Officers, 200 for Justices of the peace— and 400 of more general nature may be struck off, and transmitted me— Copies will enough adapted are herewith forwarded,— a Box of Stationary is also wanted, and should Poyntell be directed to furnish the same, it is desired it may be agreeably to to the last Invoice which I gave him, and the addition of two large Blank Books for the Journal &c.

And now my Dear Sir, being about to leave this Territory and perhaps forever, you will excuse my again observing, that unless measures are speedily taken for removing intruders, Government must eventually experience great loss, and misfortune, either by sacrificing Lands, or from the necessity of a great Military force— yet I believe it practicable to get rid of them upon an order from the general Government,— Governor St Clair thinks otherwise, and

has

1799 has lately attached the Country West of the Missi-
to the Indian line, to Hamilton County, not I think for
good and sufficient Reasons, but perhaps he is the better
Judge — I denied this measure, because I believed it
would Countinance intruders and made some other
Provision in Point, which may be seen in my last Com-
munication.

I have the honour to be

Dear Sir

your very humble Servant

Signed Winthrop Sargent.

The Hon^ble Secretary of State.

The Governor wrote to the Secretary of the Government of the Missi-
sippi Territory, in Answer to a Letter received from him as follows.

Sir

This Evening of the 2 of July at the foot of the Rapids of the Ohio
and on my way to the Mississippi Territory, is the first in-
stance in which I have had to acknowledge your favours.
I trust the Indian Treaty will not long detain you, for it seems to me
most Specially important at this Crisis, that every Officer of
the Government should be at his Post.
As I am not instructed I can have no Communications, to
make unto you on Point to the Negociation and will only
add, that it would be highly gratifying to me to obtain pretty
accurate information of the Sentiments of the Southern Indians
which Subject the present Occasion may afford you
opportunities

1799 opportunity of coming at in a Degree.

I am Sir

with Respectful Consideration

your very humble Servant

(Signed) Winthrop Sargent

The Hon^ble

John Steele Secretary of the Mississippi

Territory. Knoxville

His Excellency the Governour was pleased to make and and to deliver at Natchez, to a large Assemblage of the Inhabitants of the Territory the following Address Viz.

From the Communications made unto you at this time you will observe the Benificent intention of congress to extend immediately to the people of this Territory the immunities and blessings of their civil government, and the provision for your being admitted into the union in equal Sovereignty and independence with the original States, so soon as your population may enable you to form and carry into effect, a system for the permanent Government of a Country so extensive, and of so much national importance, as hereafter (and at no distant period) must probably be the Mississippi Territory.

For your immediate and temporary government the honorable Congress have been pleased to apply their Ordinance of 1787 which experience in their North western Territory has determined is best adapted for your happiness. and the interests of your nation. — so accommodating the same however (in special indulgence to the people of this Ter-

1790 =ritory) that property in slaves shall be continued to

=dent owners, with permission of future importation, fr

any country not out of the dominions of the united state

(By this ordinance it is provided, that the governor and

judges, shall adopt laws for your government, and such

important duty it is presumed will be no longer delay

than the arrival of another of the Judges.—a concise and

clear code of laws, intelligible to the most common capac

=void of particularity to sect, or class, and breathing that gen

=uine spirit of devine clemency, which is so honorable

legislation, it may reasonably be presumed will be the

effect of their labours.—such a code would demand and

=sure the fullest respect of all ranks of men, and the uni

=form administration thereof, produce you more than

common share of felicity.)

Should however at any time, from a misconception of your

interests, or any other cause, laws be adopted not suited to

your circumstances, I trust you will find a remedy with

=in the Territory,—but in any event you may rejoice in per

=fect security upon the sovereignty of the united states—for

there (and it is an affectionate proof of wise and watchful

care) is reserved the power of disapproving of the laws, which

may have been adopted by your governor and Judges, and

upon this provision I most cordially felicitate you, as it

contributes in your Territorial legislation, the aid of nation

wisdom

To cause due execution of the laws which shall be adopt

will specially be the province of the governor—and I wish

to be therefore remembered, that the exercise of that clemency

which, in the Legislature might beam most effulgent honor upon his character, cannot be admitted in the Exe=cutive Department, but at extreme hazard to the Territory —For every remission or pardon for a violation of the Laws, is not only a tacit reflection upon the legislature, but by encouraging a hope of impunity produces and multiplies crimes, extremely Dangerous to individuals and government and causes the future acts of justice to be deemed oppres=ive.— Firmness and uniformity of Character then should strongly mark the executive. and all persons commission=ed to office by the governor must make it a point of honor by the most faithful administration of Law and Justice (according to their respective Duties) to second his best endea=vours for the public weal.

All appointments within the Territory, not specially provided for by the ordinance of the honorable Congress, are with the governor, and merit only can entitle a man to offic=

Strong and evident marks of attachment to the United States and good government, a disposition to preserve the peace and order of society, and harmonize contending sentiments (if such have unfortunately existed) will be held by govern=ment in very honorable estimation, and duly noticed by the executive— for this, and the unremitted endeavours of the governor to promote your and the national interest and Dignity, I am most fully authorized to pledge myself. —The important Duties of that office having been Commit=ted to me: I feel the full force and obligation of my trust, and believing that upon the faithful discharge thereof, m= very much depend your future welfare, I am not without

1798

the most anxious and tender solicitude in relying
upon your established reputation for good sense and cul
=tivated minds — that the due estimation of so ample enjo
=ment of the elegancies, and refined pleasures of social life
and which can only be continued, under a government
duely appreciating Individual, as well as national right
will powerfully aid the most Zealous exertions on my part
I enter upon my duties with cheerfulness — Fervently ap
=plicating the agust author of our being, so to enable me
at all times to administer my various functions, as shall
best merit the continuance of confidence from the sove
=reignty of the United States, and be most conducive to your
happiness.

Imperious circumstances will demand that I should lose
no time to array, in a well appointed and well ordered mil
=itia, the effective force of the Mississippi Territory, and Spon
=pone the same only for due information of characters suit
=able to commission, and your probable strength — the first
I hope speedily to obtain from an acquaintance with you
which it will be much my pleasure to cultivate — and of
those best informed of the military reputations heretofore
in observance, I have to request such communications as
may enable me to determine with as much accuracy a
possible, the number of men enrolled in the militia here
=to fore, with the state of their arms and accoutrements
I shall as soon as possible divide the Territory into d
=tricts, and make the appointments of magistrates and
other officers necessary to the execution of process, civil a

1790 criminal, and the preservation of the quiet and good order so essential to the very being of society.

I am aware however that in the mean time insidious attempts of nefarious men might for a moment disturb your repose — Indeed the anxieties of some amongst you thereupon have been suggested to me, but fear not, our a=bility is proportioned to the occasion, and the arm of the United States is mighty.

As good citizens void of Jealousy of each other and emulous of public good, you will keep your eye on the men of no country whose pursuits here (under the most favorable construction thereof) are quite problematical, and whose smallest interfer=ence with your police, must be considered as vile usurpation any kind of disrespect upon their part, to the general or Ter=ritorial government, will naturally lead you to suspect them as foes to our peace and quiet, and the most prompt and energetic measures should follow the first notice of their characters.

(signed) Winthrop Sargent.

note This address made at natchez august 18th 1798 to a con=siderable collection of the Inhabitants of the Territory, and immediately after the publication of the act, and ordinances of congress, for the government of the Mississippi Territory.

His Excellency the governor was pleased to make the follow=ing order for the apprehending of Zachariah Cox Viz.

Concord house, near Natchez, Mississippi Territory augt 18th 1798

Sir

I have to request that you cause Zachariah cox said to be in the town of natchez, to be immediately apprehended and he

in close custody in the fort under your com-

1790 may receive further instructions in the case from me. I

shall be liberated by the sovereign authority of the United

for all which this shall be your sufficient warrant.

Given under my hand and seal the Day and place before Mention

(Signed) Winthrop Sargent

Mr. Cox may receive provisions for his use from the public

he can have no attendant in whom you have not the fullest

=fidence, and communication to, and from him, must be through

the medium of a commissioned officer

Captain Commandant Lycon

Concord House near Natchez

Mississippi Territory 20th: august 1790

My Dear sir

Leaving the northwestern Territory as I did very

much indisposed, and exposed on my way here, to all the de

effects of a <u>vertical</u> sun, the consequence had well nigh been

fatal to myself — I was detained at Massac a few days, when I

recovered a little, but Judging it of great importance I took

make no Delay. I so hastened my departure, that a relapse al

=most unto Death was the consequence, and for a considerable

time after arrival here, my life was Despaired of — so soon how

-ever as I was able to ride out, I caused the acts for the gov

=ment of the Territory to be formally published, and made

an address unto the people, of which I inclose you a copy —

to the same I expect a response in due order, of which you

will be noticed as early as possible, and in the mean time

I believe I may venture to assure you, that my communica

=tions have been highly satisfactory, and to render the

new government generally acceptable.

1790 My health is so much better that I venture abroad ever
Day, and am obtaining such knowledge of the Inhabitants
as may best enable me to make the necessary appointments
within the government. My great source of uneasiness is
the want of the Judges — I pray God Mr. McGuire may soon
arrive, or some law character — In a county from which
is no appeal, most certainly there should be law knowledge
— Judge Brown a worthy and sensible man, is beyond doubt
deficient, and Judge Tilton cannot have had more reading
or experience, under these circumstances might it not
be advisable to make compensation to some gentleman
learned in the law, to reside here as an attorney for the
United States, and Territory.

For the absence of the secretary, though I severely
wish him here, I have not so much cause for regret, for
you know I am habituated to the joint services and perplex-
-ities of two offices, but every moment I am teazed by appli-
-cations, which should be made to inferior magistrates,
but which cannot be rejected without fear of exciting dis-
-gust at government, and of course subjected to unremitted
labour to which in full health I should be unequal and
which at present is really distressing.

To one act I have been constrained since my arrival, which
will be explained to you fully, by the inclosures marked
A B C D E. & upon which I request immediate instruction.

Mr. Cox was at large within the Territory and an armed
party at his command, before my arrival his coming was
talked of amongst some few disaffected persons here, and that
he was to assume the government for the state of Georgia —
He is now in close confinement, but with very indulgent

1790

that a state prisoner should expect, for [redacted]
stine even a cremation; I wish ardently for the precedent
tion in this busness, as early as posible, for until I may know
if Mr. Cox will be continued a prisoner.

I had the honor to receive your favor of the 29th. June yest
in which though you mention to me the seals, you say noth
of stationary and blank commissions, which are absolutely ne
-cessary, and of which I inclosd you forms. — one seal for
each county shall suffice for the present, whether the County
Offices wanting seals, be in the same person or not, and I would
you to have two. one of them inscribed with the name of "Ad
and the other "Pickering".

We have no printing office in this country, we are remote
from all others, and under such circumstances, I shall find
impracticable to diffuse a knowledge of the laws, and other use
-ful matters without the aid of government. — a small Print
-ing press sufficient for half a sheet of post paper, which would
give four pages, would be a blessing to the people of the Territory
and I would myself contrive to manage it if we may through
your goodness be indulged.

I am well pleased that the secretary of war is to be consulted relative
to the powers of Colo. Hawkins and myself in the Indian Department
and am not over anxious for a very extensive sfield to act in, but
whatever shall be my duties, I will perform and shall admit of no
interference.

The Governor of the north western Territory, has, as superintendent
of Indian affairs, been a mere cypher — Military subaltern officers
not unfrequently have exercised all his powers; have had their
talks, and been entrusted with the Indian presents, without con
-sulting or paying the smallest regard to him thereby depriving
him of almost all his consequence, though as the legal
agent, all responsibility was his — I trust such

1790

not be attempted to be practiced upon me, for without the prese
express mandate in point, I shall not submit to it.

At this place the Chactaw Indians frequently visit they are
sometimes troublesome to the Inhabitants by killing their cattl
&c. to which are scattered over a Considerable Country, they mus
be more or less always exposed — when visiting it perhaps it
might be well to endeavour to keep them in good humour, by
a little Bread, Beef, and liquor, and some trifling presents,
for which I request immediate provision, and such instruction
as may be deemed proper; I cannot make advances myself—
my own expences will be greater than I had an Idea of— livin
is dearer than I had expected, and even house rent, I fine is esti
=mated at 300 Dollars per year.

I wish you would oblige me by transmitting such of the pa
as may inform me of public transactions, at home and abroad,
in which our country is implicated.

I have the honor to be with most respectful esteem

Your most obedient humble servant

The Hon.ble
Secretary of State

(Signed) Winthrop Sargent

P.S. poor Williamson is dead, if he had lived I suspect he would
have given me some uneasiness by attempting to convey-and
settle Georgia lands. I very much want information upon
this subject.— I beg you to take an opportunity to ask the
President permission for my visiting the atlantic States, in the
next summer. If I shall have organized this government.— I wi
to go by the way of Orleans for my health and the adjustmen
of important family concerns.

Sir. Natchez Septem.r 3.d 1798

As you received your appointment from Colonel Hawkins
who is a gentleman of great respectability, and supposed to ha

much Influence with the Indian Nations generally [illegible]
1790 have not yet been instructed, with regard to agents [illegible]
tribes. I deem it advisable, that you should communicate [illegible]
if by any means practicable – if not in writs of moment [illegible]
-diately to the Secretary at war, at the same time transmitting
me Duplicates of every intelligence, in which the safety or int
-ests, of the Mississippi Territory are implicated.

It is material that I should understand the nature of your
appointment, and instructions; if the same can with propriety
be committed to paper; but it appears to me, that you should
not now leave the Indian country – the Plan suggested
-cerning the Chactaws and creeks, seems a good one but must
be managed with great address.

By whose order have you heretofore communicated with
the Military Commander at this post? – who is the Spanish
Chief called the long King? By what authority is Gorland a
trader – are the Indians attached to him, and would it be pra
-ticable and politic to make him a prisoner, and send him
to this post?

What authorities have you to believe, that the Spaniards
encourage Horse stealing, and robberies upon the natchez pa
-ssengers, such should be given unto me, in order to found the due re
-presentation to Governor Gayoso, and statements to the general
Government.

I need not observe upon the necessity of conciliating all
the Indians to the United States – whatever is proper will be
done upon the part of the general government, to whom I have
transmitted a copy of your letter. – Leaving the North western
Territory at short notice, I am not supplied with money for
contingent or any purposes, but this matter I trust will
soon be put right.

1799 It is very desirable to me, and an object of national import that I should possess correct information, of the population of Indians, in this southern department, particularly specifying warriors, and distinguishing them from old men and boys, women and children, and how situated their means of offence and defence, &c. &c. so far as your own knowledge extends, or that you can obtain correct information, I hope to be gratified.

It will be well I think to be very sparing of passports for Indians to visit white people, and to confine them to chiefs and men of real consequence amongst the tribes, for the less we mix, the better prospect of harmony.—Horse stealing, robberies, and murders, may in some measure thereby be avoided, and our friendship of course, longer continued.

It may not be amiss to let the Indians know, that for depredations upon the property of white people, reparation will be demanded from the nation of the offender, and in case not made, a deduction take place from presents intended them by the United States.—The strictest Justice to them will always be observed on our part. I am told by some of the military gentlemen, that it is a practice with the Indians (coming in by permission) to visit not only Negales, but Natchez also, and to receive presents at both; the provision made by government not admitting of profusion, it will be well to guard against this, so that the distribution may be as equal as possible.

Your Courier shall be satisfied agreeably to request, and I have nothing further to add, but that none of your communications to Captain Gaion have yet been made known unto me

I am Sir

with due Consideration

Your Obedient

(Signed) Winthrop Sargent

Mr. Samuel Mitchell

agent to the Chactaws &c.

Sept 20 1790

Concord House [illegible]

Dear Sir

The inclosed letter so strongly marked by ignorance, as well as impertinance, is transmitted to your Honor that you may know the writer, his attachments and connexion with the Mr. Cox whom I have thought proper to order in confinement for such misdemeanours as have indicated the most unreasonable intentions towards the United States, all which I have made you fully acquainted with.

I believe it material to the Interests of our nation, that he should be immediately apprehended and constrained to give security, that he will not by word or deed endeavour to disturb the peace and quiet of the general or Territorial Government or any of the citizens thereof — and if it shall appear (as I presume it will) that he has been one of Mr. Cox's captains, that he be held to answer at the Supreme Tribunal of this Territory, or the general Government, as may be hereafter directed, for aiding and abetting the Mr. Cox before mentioned, to contravene the laws of the land, or otherwise be dealt with as in your Judgment may be deemed best.

With Respectful esteem I am
my Dear Sir
Your Obedient Humble Servant

(signed) Winthrop Sargent

The Hon^ble
Judge Bruin

His Excellency Winthrop Sargent Esquire the Governor & Commander in Chief of the Militia of the "Mississippi Territory" has thought proper to make and publish the following order for establishing and regulating the Militia within the same.

All free male Inhabitants between the age of sixteen and fifty (the officers of civil Government and apprent

1790

the president and senate of the United States, or Commissioned by the governor, ministers of Religious societies. that are, or may be established, and regularly educated practicing physicians only excepted) shall be liable to, and perform military Duty, and be equally divided into Corps of Horse and foot, and formed in the following manner.

Sixty four rank and file shall form a Company of Infantry, Rifle men, or a Troop of horse.

To each company of Infantry, or Rifle men there Shall be appointed a Captain, Lieutenant and Ensign, four Sergeants, four Corporals, a Drummer and fifer.

To a Troop of Horse, one Captain, one Lieutenant one Cornet, four Sergeants, four Corporals and a Trumpeter.

The whole militia of the Territory, will for the present be formed into two Legions, and to bear the names of the Districts or Counties, to which they Shall respectively appertain, so soon as Such Shall be erected and laid off.

A Lieutenant Colonel will Command each Legion, and a due East line from the confluence of fairchilds Creek with the Mississippi will be received for the present Division of the Militia.

There shall be Legionary adjutants and quarter Masters, and provided a Legion is equal to four Companies, two Majors will be appointed; one to the Horse, and the other to Command the Infantry.

A Sword of Straight Blade (if such could be procured) and pistol, are to be the arms of a horseman. — A Short Carabine with a long Bayonet, by enabling him to fight on foot as well as on horse back, would render him much more useful to his Country but from the great difficulty of procuring such within the Territory, they will not for the present be demanded.

Each Trooper must furnish himself with twelve rounds of cartridges three flints, a priming wire, and small portmanteau.

The Infantry are to be armed and accoutred, with Muskets & Bayonets, Cartridge Boxes, thirty rounds of Cartridges Six flints priming Wires, and brushes, and Knapsacks.

1790

The Rifle men with good Rifles and Tomahawks, powder and Bullet pouches, six flints, one pound of powder and forty of Bullets, priming wires and brushes, and Knapsacks.

And every person enrolled in the militia, who shall be found deficient upon a muster day, in the arms, ammunition, and accoutrements, or any of them, herein before ordered to be furnished shall after a reasonable time given to enable him to procure the same, at each and every time of Default be fined in the sum of fifty cents.

The officers to be armed and accoutred as the privates with the addition only of swords for the Infantry. The less ammunition they may have the better, for in actual service, it is to be supposed that the Due attention to their men would afford them but little time for the use of fire arms.

Upon the first saturday of each and every month and in the afternoon thereof, officers Commanding companies are to assemble and parade their men at such places as they may deem best adapted for their general convenience, and there Diligently exercise them for the space of two hours, in marching, wheeling, firing with good aim, and the adroit use of the Bayonet for the Infantry.

The Commandants of Legions, will take care that the exercises of the companies are uniform, and the "printed" regulations for the order and disciplining of the Troops of the United States", are to be received as their general guide.

They will be pleased to name four field days in each and every year, upon which their respective commands, that can with any convenience be assembled, must be exercised as Legionary corps, and such Days be reported to the governor, he will endeavour to have the honor of reviewing them.

If any person enrolled in the militia, shall refuse or neglect to appear, upon the regular stated or

1790

days, or shall refuse to do his duty when appearing, shall be fined in the sum of one Dollar for each Default, except in case of absence, and when he shall render a sufficient excuse to the Captain.

All fines are to be collected by a warrant of Distress from the Captain or senior officer of a company, directed to either of the Sergeants, who may levy upon the goods or Chattles of the Defaulter, and after advertising the same for five days, if the fine be not then paid, such Sergeant shall proceed to sell at public Vendue to the highest bidder, so much of the effects, as will answer the fine and one Dollar for his own use, returning the overplus if any there be, to the party who owned the property so Distrained. And the fine levied shall by the officer from whom the warrant Issued, be paid into the County Treasury, and appropriated to the use of the Legions.

Upon any invasion of this Territory or appearance thereof, or Domestic Disturbances, that shall in the opinion of a Magistrate Demand the aid of the Militia, the Commanding officers of Counties, and even of smaller Districts, are authorized to make such Detachments as they may deem the public exegencies to require. And in cases of refusal to appear, and perform duty under such authority, or disobedience or neglect of orders in time of service, the Defaulter shall be deemed guilty of Cowardice, and be tried and sentenced by a Court-martial.

All officers are according to their respective Duties to be attentive to the forming, disciplining, parading, and Commanding their men, and to the orders which may be given from time to time, by the Commander in Chief or other their superior officers.

If any officer shall neglect his duty, or violate any of the Rules and regulations now, or hereafter to be made, for the government of the militia, he shall be heard tried and sentenced by a Court martial.

1790

Courts Martial may be appointed by the Commander in Chief or the Commandants of Legions, but the Commander in Chief reserves to himself the power of approving and carrying into effect, Sentences of Courts Martial, whereby the punishment shall be Capital, or an Officer cashiered.

The free male Inhabitants above the age of fifty, are to arm and accoutre themselves either as the Cavalry, Infantry or Rifflemen (at their own option) but they shall not be liable to Military Service, except in cases of actual invasion, and under the immediate Direction of the Commander in Chief.

The following named Gentlemen are appointed officers of the Militia, and are to be obeyed and respected accordingly. Their Commissions will be made out as soon as posible and delivered unto them by the Commander in Chief, or the Commandants of Legions.

Upper or Northern District—

Lieutenant Colonel, Cato West Esquire,

Major of Horse Nasewothy Hunter Esquire.

Major of Foot John Girault Esquire.

Thomas Green, Richard Harrison and

Thomas Calvit, Captains of Horse.

James Truly, Jesse Harper, and George W.

Humphreys, Lieutenants of Horse.

George Sulzer, Lacy Rumsey, and James Spane, Cornets

Roger Dixon, Tobias Brashears, and Arthur Carney,

Captains of foot.

John Brooks, James Mc Intyre, and Gibson Clark,

Lieutenants

William Smith, James Davenport, and Eben Brashears,

Ensigns

James Mc Intyre Adjutant

Lower or southern District.

Lieutenant Colonel

Majors Benaiah Ozman Esquire of Horse,

Sutton Banks Esquire of foot.

1799

Benjamin Farrar, William Moore, and David Ferguson,
Captains of Horse.

Lieutenants. William M.c Intosh, George Cochran, and
John Minor

Cornets John Linton, Hampton White, and Charles Sewell

Captains of Foot, John Ellis. Adam Bingaman, and
Joseph Calvit.

Lieutenants Abraham Ellis, Daniel Grafton, and
Philander Smith.

Ensigns John Watt, Samuel Hutchins, and
William Dunbar Jun.r
John Watt adjutant.

To the Military Characters in this List of appointments the Governor has given the highest possible proof of Confidence — and which he persuades himself — can in no event ever be abused or betrayed. Immediate attention on their part, to enrol the militia without Delay, is expected and required. — For to preserve the inestimable blessings of peace, it is absolutely necessary that a people be prepared for war. — In all the old states, the inhabitants are organized into Compleat corps, well ordered and appointed, and perhaps, only to be equalled by the best militia in the world. — From them have been selected a Choice Corps of Eighty Thousand men, to operate at the shortest notice, as occasion may require, in any the most remote Dominions of the United States. — To their north western Territory also, the enthusiasm of military ardour, and national principal have extended — and they need but the Occasion to demonstrate their patriotism and signalize their prowess as Soldiers.

It will be with the most singular satisfaction, that the Governor shall have it in his power, to report to the Sovereignty of the United States, that upon this Western Confine of their possessions prevails the most laudable Spirit of emulation.

Given at my Quarters, Concord house near Matche

1790

in the Mississippi Territory September [illegible]
-ini 1798. and of the Independence of the United
twenty Third.

(signed) Winthrop Sargent.

His Excellency the Governor thought proper to write the following Letter to the Commanding and Field Officers of the Militia, enclosing the order for the Regulation thereof, bearing date September 8th 1798.

September 8th 1790

Sir,

Upon the Commanding and Field Officers of Corps depends in very great Measure, the well ordering of Militia. I rely upon your Zeal that there be no delay, in the discharge of the important duties entrusted to your Execution. — I am Anxious in the extreme, that the Legions should be immediately enrolled; For respectability amongst our white and red Neighbours, will thereby be encreased. The safety and well being of every individual of Society, demand your energy in the present Moment.

Let the men be so arranged under the Officers, as shall best promote mutual Convenience, and Cordiality. And I Conjure you to use your best endeavours upon all occasions, to Conciliate and promote Laudable Harmony.

It is a Military rule, that Noncommissioned Officers (with the Approbation of Commandants of Corps) Should be appointed by Captains. — And I would recommend a Method free of expense that has been fallen upon in the United States to Uniform Militia —

— Officers

1790 Officers when new clothing themselves, have determined on Colour and fashion. They have considered their Uniforms as the highest dress, and the privates following their example have accomplished an Object, which every Soldier must feel is not unimportant.

I have the honor to be

Sir your humble Servant

(Signed) Winthrop Sargent

P.S. I should recommend Blue and Buff as an Uniform for the Territory.

To the Commanding and Field Officers. (Circular)

Information to the Inhabitants of the Mississippi Territory.

The Governor had intended to postpone all Civil appointments within the Territory, until by the presence of a Majority of the Judges, he should have had it in his power, Completely to Organize this new Government, and make the Execution of Process, Criminal and Civil easy and perfectly intelligible, but this unexpected delay, and the many Misdemeanors which are Complained of, and for the Remedy of which the whole attention of the Judge present seems inadequate, has induced him to make ... the following appointments so disposed (According to the best information which he has been able to obtain) as will most promote the peace and good order of Society in the different Settlements and

1799 and which are to be Considered, as annexed Jurisdictions
So soon as the powers, and duties of Justices shall be dy
by Law; Such will be appointed and Commissioned
Daniel Clark, William Dunbar, Isaac Gallaud
John Ellis, James M^c^Intosh, Philander Smith, Thom
Wilkins, Joshua Howard, and Joseph Calvet Esquires
Conservators of the peace. — Lewes Evans Sheriff for a
District of the Mississippi Territory, from the Southern
or lower boundary thereof, to and including all the Country
between the same and a due East line, from the mouth
of Jare Childs Creek, to the river Chatahouchee which is
the Eastern Boundary of said Territory.

Caleb West, Samuel Gibson, and Tobias Washeas Esquires,
also Conservators of the peace, and William Ferguson She
riff for the District of the Territory, which is Bounded up
the South, by the District before described, by the Territorial
Boundary upon the East, upon the North by a due East line
from the mouth of the Yasous, to the Territorial Boundary, an
by the River Mississippi upon the West.

The before named Conservators of the peace thus appointed, are
Jointly and Severally, Authorized and Required, to keep and pre
serve the peace — To Suppress all Riots and affrays, and to take
Notice of all Treasonable or Seditious Language, and Commit
the Authors, unless they Shall give Security for future good Conduct
and to Answer for their crimes, at the first Session of a Court of gene
ral Quarter Sessions of the peace, which Shall be holden in the Dis
trict where the offence may have been Committed.

Any two of the Conservators of the peace, Shall within their
proper Districts, be Competent to hear Complaints of felonies
and

1790 And upon Testimony of two Creditable Witnesses, that a Complaint is well founded, may issue a Precept directed to the Sheriff, to apprehend the Felon and him Commit, to close Confinement to Answer for his crime, before the Supreme Court of the County next to be holden after such Commitment, within the said District.

Two or more of the Conservators of the peace may appoint to act as Constables on their Districts, such and so many discreet men as they may deem Necessary.— And it shall be the duty of the Constables so appointed to Execute the precepts of single Conservators of the peace, which shall be unto them severally directed.

The Sheriff also will consider it as his indispensible duty, to Quell all riots and affrays, and to Commit to Prison (ex officio) when the same shall happen in his View, all concerned therein, unless they give Security for their future good behaviour and the Peace, as well as to Answer for Crimes so Committed before the proper Tribunal.— He may Command to his aid, such part of the Posse Commetatus, in the Execution of his duty, as he shall deem Necessary, and such Summons every male inhabitant above the age of Sixteen years, and not immediately in Civil Commission, is bound to Obey, under pain of fine and imprisonment.— He shall receive and keep in close Custody, all persons Committed to him by the Supreme Judges, or the other Conservators of the peace, and for the faithful discharge of his duties, he shall give Bonds to the Governor and his Successor in office, in the Penal sum of four Thousand Dollars.

Conservators of the peace, Sheriffs, and Constables, may take such fees for their Services, as have been allowed in the

1790

Territory of the United States, North West of the Ohio, which will as all the foregoing Regulations, are to be Observed Territory, until it Shall by Law be otherwise directed.

The Governour further Authorizes and empowers the Conservators of the Peace, and Sheriffs to Administer unto all free male inhabitants who are Considered as Permanent Residents of the Territory, an Oath of allegiance to be by them Subscribed, as well as taken and in Form following.

"We the undersigned Acknowledge we owe allegiance "to the United States of America, and we do most Solemnly "and Sincerely Swear (or affirm where they are Conscientiously Scrupulous of taking an Oath) that we will "to the best of our Knowledge and Abilities, Support, Maintain and defend the Constitution thereof. — So help us "God."

A Certificate of which in the following Form is to be given unto every Person taking and Subscribing such Oath. Viz.

"This may Certify that _____ has this ____ day "of _____ Anno Domini 1790 Taken and Subscribed the Oath of allegiance to the United States of America "as Prescribed by the Governor. In Testimony of which "I have Signed my name." A. B.

"Conservator of the Peace
"(or Sheriff as the case may be)
"_____ District _____"

The Power of Administering the Oath of allegiance, is limited to the 30th of October next, upon which, Conservators of the Peace, and Sheriffs are to make Report of such as Shall have taken the Oath, to the Governour. The Certificate given to Individuals, that they have taken the Oath, Should by them be carefully preserved, as it has been provided by Congress, that Aliens may be Banished the Country.

Given

1790

Given under my hand and Seal at Natchez the 9th day of September, Anno Domini 1790 and in the 23d year of the Independence of the United States of America.

(Signed) Winthrop Sargent

Natchez Sept. the 10th 1790,

Dear Sir

I yield no Credence whatever, to the Union and Combination, said to have taken place with the four Nations of Indians, and by Mitchell whom you must know, I am informed the Chactaws are freindly to the United States, and very inimical to the Creeks,— The Chickasaws only, attended upon a late invitation to them, the Chocktaws, and Cherokees, but was it otherwise, it Certainly would be impolitic in us under Present Circumstances, to make Opposition unto them at the line by force of Arms— Our present Appearance there on you alone, would be enough to demonstrate that we are in earnest, to Complete the Boundary,— And I am persuaded that under such impressions no attack can be made upon you, unless after a formal Message to desist from the Operation you should Continue at Business, which it Seems to me would be highly improper.

The American and Spanish Troops with you I should Suppose were fully equal to the Protection of your Horses, and Cattle, against Marauders.

I have Comunicated your Letter to the Commandant of the Regular Troops here, who has not the Power to add to your present number of Men,

General Wilkinson will arrive in few days Certain, and I will

1790

will make him acquainted with the Subject of yours, and the Letter entrusted to me.

I thank you for your obliging favour of the 4th. My present engagements which are indeed Numerous, and pressing, permit not Such attentions I would wish to bestow upon it, and you at all times.

I can not however close without Congratulating you, that the Brave and illustrious Commander of our Armies, has again resumed the Sword, and his Example has been followed, by a whole Train of Worthies. — Lincoln, Pinckney, and Wand, Major Generals. — Hamilton Inspector; and a whole host of Brigadiers. — Military Ardour beats high, in every Breast, and the whole American World are in Arms; French Privateers bringing in by our American Cruisers. The President is Authorized to Banish Aliens, as he shall think proper, and I have seen the Skeleton of a Pretty Comfortable Sedition Bill, which has since passed the House.

With very respectful esteem,

I have the honour to be your friend, and

humble Servant,

(Signed) Winthrop Sargent.

The Hon^ble Andrew Ellicott

Natchez Sept^r 4^th 1790

Dear Sir

I herewith transmit unto you, the Copy of a Letter from a Mr. Mitchell appointed an Agent by Col^o Hawkins I presume to the Choctaw and Chickasaw Nations, with my Response.

I received also Yesterday a Letter from Mr. Ellicot, with intelligence from Governour Gayoso, Officially Communicating to him through Major Minor the Spanish Commissioner at the Line, that the Creeks had banished Col^o Hawkins from their Nation, and Combined with the Choctaws, Chickasaws, and Cherokees, to oppose the Completion of the Boundary, upon which he has been employed

1790 He Suggests to me a wish, that his escort may be Augmented, but believing that the American and Spanish Troops already ordered are adequate to protection of their horses and Cattle, against Marauders, and that no attack would be made upon them unless in case of Obstinately Continuing at the Business, after the Same Should be formally prohibited, I have so wrote him, and farther, upon a Conference with the Military Commandant Colonel Hamtramck, that he had no Power to add to his present guard, but that his wishes Should be Communicated unto General Wilkinson, who is expected here in Ten days.

A Mr. Vidal Spanish Secretary to Governor Gayoso, and who has been left at this place in Character of Consul not Acknowledged however as I learn by the President as yet, waited upon me this morning by desire of the Governor, to Communicate in Substance the Same information, that had reached me through Mr. Ellicott, and Major Minor, with no more Addition but that the Spanish Agents had exerted themselves in Vain to oppose the hostile disposition of the Indians, declaring unto them that any attack upon the Line, would be Considered as War upon Spain, as well as the United States, and followed by their utter Ruin, It would Seem also, from Mr. Vidals information, that the Creeks though Disgusted with Colonel Hawkins, have a fatality to Mr. Seagrove,

Unacquainted as I am with all the Indian Concerns in this Southern Department, without information of the Characters, or even names of the Agents unto them, destitute of Resources to Send unto them even a Messenger, or make them the Smallest present and the Suggestions in your favour of the 10th of May, that it would be expedient to leave the General Superintendency of Indian affairs to Col. Hawkins &c. place me in a most embar-

= rassing

raising Situation— Something should be attempted d
with the Creeks, for it appears to me they will otherwise cause us
Trouble; and I trust it is this, if Colonel Hawkins has left them,
another Agent has been appointed. A small Garison and Trading
houses, in the Choctaw Towns, would no doubt produce very happy
effects— We live here only upon Sufferance and their good will
our Settlements are Scattered over a great extent of Country
and not to be defended— Our whole Militia fit for Service Inhabit
from Sixteen to fifty years of Age, may amount to eight hundred
men— And I have taken Measures to Organize them without delay
nearly half the number will Probably be mounted,— From the Conte
nued Absence of the Civil Officers of Government, we really Supe
ciphering,— And I am the Veriest Slave in the World,— Every d
and hour Multiply Complaints, some of them amounting to felo
and very high Misdemeanors, & have been Constrained to Some
vile appointments, and to defend the duties thereof, which was the pro
vince of the Legislature, and am to be justified only by the imperiou
necessity existing.

There Seems to be an Opinion Still prevailing (I know not upon what
ground) that Louisiana will will be added to the French,— For Such a
Government the Creoles, who are very Valuable Soldiers would I a
Dessicated sight.— The whole number that might be embodied, fro
the Iberville on both Sides the Mississippi to the Balize, would amou
I am told to about Two Thousand five hundred, armed with Smoo
Bores, and without Bayonets.— Their Slaves are said to be as fou
To one.

This Communication is made unto you Sir, to enable you to form
Judgment of the due Precaution essential; with all deference I tak
leave to Suggest an Opinion, that a Body of Volunteers might be rai
in Tennessee, Kentucky, and the Northwestern Territory, upon a pro
mise of Land to prevent the Possession of Louisiana by the French, in
Case the Spaniards Should be disposed to cede it: But early arrangem
and Sudden Execution Should be provided for, as a Fleet and Army at
the Balize perhaps Possessing the whole lower Country might Acco

1790 hany the first intelligence of the Cession,— A few French Troops with a Cordial Co-operation of the Spanish Creoles, and Arms put into the hands of the Negroes, would be to us formedable indeed,— The Indians (now I fear Wavering) would be enduced to join them and in the Aggregate Constitute an Enemy, by no means Contemptable to the United States

Believed it the intention of our Government to Cultivate a good Understanding between the Citizens of this Country and the Subjects of his Catholic Majesty I have granted hasports to all good men, Requesting the same to hass the lines, To Such I believe generally due attention has been paid, but in Some Cases Commandants have informed me, that our Citizens could not be admitted, but by Special Order from Governour Gayoso, to whom I have Signified the friendly disposition of the United States, but there must be a reciprocity in all things.— Shes through his friend Mr. Vidal, for I have not yet found it necessary to make unto him a direct Address. The Spanish Treaty (it Seems to me) provides for their Traders going into the Southern Indian Nations within the United States, but till otherwise instructed, I shall make it a Point, to place them under the Same Regulations, as our own Traders.

I am &c

Signed Winthrop Sargent

The Hon^ble

Secretary of State.

Natchez September the 18th 1790

Dear Sir

I have received and read with very particular attention, your favour of the 15th instant— and not at all approveing the Method you would pursue in regard to Mr. Freeman, I express

the

the same I assure you with great Reluctance, for I have in truth, one much respect for your Judgment.

Though Mr. Freeman is an Officer of the General Government, yet in the very nature of things, he is subordinate to you, and for Sedition, Indolence, or Incapacity, there can be no doubt of your right to Suspend, and Banish him your Camp.

Should he make any formal Complaint, it would probably be to the Heads of some of the great Departments of State, unless he Should be Mad enough seriously to prefer unto me, those idle Tales that you have informed me of, which in your Situation I Should Laugh at and despise — Yes Sir, I Should believe your Reputation so firmly established, as not at all to be affected, by Vague insinuations, or unsupported Assertions.

It would be enough I presume for the Sovereignty of the United States and all your Freinds, that you simply Contradicted Such however Speciously made, or industriously Circulated — And for myself also for you, I would deem it a most undue Condescention to enter upon Defence; under any the Vilest Calumnies, till called upon by legal Authority.

I am I assure you, with the most perfect Confidence in your Attatchment to the United States,

Your Freind and humble Servant,

(Signed) Winthrop Sargent.

To the Honble Andrew Ellicott
Commissioner &c

Natchez September 10th 1790

Sir

In full faith of your Excellencys disposition to render Manifest Justice unto all men; and reciprocating the very friendly intentions of the United States to his Catholic Majesty's Subjects, and

Interests

1790

Interests and having no knowledge of an Agent at the Port of New Orleans duely Authorized by the President to Seek redress for injuries Sustained by the Citizens of America; I believe it encumbent on me to make application unto your Excellency that Francis Mitchell Accused of having Piratically, depredated the Ships and Citizens of our Republic, in an armed Vessel called the Henriquez, should with his Juge be arrested, and detained to Answer unto the Said Citizens (or their Agent duely Authorized) for his Clandestine Piracies, as well as for so flagrantly Violating the Laws of Nations.

In Support of the Charges against Mitchell, there have been transmitted unto me Certified Copies of depositions made by himself and John Durand a French Mariner, in the Consulate at Charles Town, and which as I am Assured, your Excellency has already been furnished with the same. I forbear to trouble you with.

It is as unnecessary for me to draw your Excellency's Attention to the Articles of the Treaty of Amity, between our Sovereigns and in Point — As I flatter myself it is to Assure you of my Zealous inclination at all times to yield most Prompt Attention to any Representations, which in the Contingency of events, your Excellency may hereafter have occasion to make, and in which your own or the Interests of any of the Subjects of his Catholic Majesty may be implicated.

With the most unfeigned Consideration for your Excellency's health and welfare

I have the honour to be

Your Excellency's

most Obedient humble Servant

(Signed) Winthrop Sargent

His Excellency Don Manuel Gayoso De Lemos, Governor of Louisiana &c &c &c

Natchez 20th of September 79

Sir

Presuming upon that inviolable peace and sincere friendship so happily established between his Catholic Majesty, and the United States of America, I hesitate not to request of your Excellency that Zachariah Coye who has been imprisoned within this Territory for the most atrocious Misdemeanors, some of them tending to involve the United States in a War with Spain, and who made his escape on the night of the 26th instant, under Circumstances so base, as extremely to aggravate his guilt in men of honour, and who is said to have taken the way to New Orleans may be arrested if he is to be found within your Excellency's Government, and delivered over to a Military Escort from the Troops of the United States, which General Wilkinson has assured me, he will order to be at the National Boundary, to receive him; whenever it may best suit your Excellency's convenience, and pleasure.

The Compact so Subsisting between our Nations, has most happily provided for rendering ample Justice at their respective Tribunals, to the Subjects and Citizens of either — in the Recovery of the smallest Property — Payments of even trifling debts, and damages of what nature soever, that may have been sustained by either party, whether the Causes of Complaint, be against our own Citizens or Subjects, or Foreigners who have taken Refuge within our Domains.

With such Treaties, such liberal Provision, for matters which Certainly can be of no very great National Concern, we must necessarily infer, that our Sovereigns have never intended, an Asylum for Criminals within the Realm. Mr. Coyes Conduct Cannot be investigated but in the Territory of the United States if therefore your Excellency should decline to give him up (which I can not believe possible) it might have the fatal

tendency

1790

tendency, to countenance, and encourage every Species of villainy within our respective governments, for it would foster the hope of impunity, amongst the most abandoned Men to establish as sacred and immutable Truths, that first principles of the Treaty now subsisting between our Nations. I fondly hope your Excellency and myself, shall have no occasion of Commanding the Public Amity, by the mutual exchange of good offices.— The delivering up of Mr. Cox will rank high in this order, and be Considered as rendering very eminent Service, to the United States and all good Government,— On my part I shall but wait an Opportunity to Demonstrate equal Accommodation, and follow the Example of your Excellency.

If Mr. Cox Sir who is the Subject of the inclosed, Should not be within your Excellencys Government, or if from any Cause I am to fail of Success in my present Application, I have to request the Same may be received in Confidence, as any Unnecessary alarm to him could produce no good effects whatever.

I am most respectfully,

Your Excellencys,

very humble Servant,

Signed Edm Flagg Surgeon.

His Excellency

Don Manuel Gayoso De Lemos

Governor General of Louisiana &c.

His Excellency the Governor wrote the following Private Letter to the Secretary of State, and deems it Necessary to be entered in the Journal.

Natchez 29th of September 1790

Dear Sir

I do myself the honour of enclosing you Copies of Two

two Letters to Governor Gayoso, because I calculate for your
=servations thereupon to my future Government.
Three or four of your Coadjutors, men descending the River with him
were immediately apprehended upon his Escape, by precept from
Judge Bruin, and have been Committed to the Fort, where they will
Probably remain, until we hear more of the Principle — The Judge
is indefatigable and Meritorious, but for the want of another
Judge, we are wretched, — The People smarting from our delin
=quency, will become restless, and I tremble for the Consequences.
Hutchens and some others it is hinted to me are again busy —
Some Memorial to Congress probably —
My own Reputation is already at Stake, and every moment encrea
es my hazard — I have been Constrained by imperious Receipts
to attempt something like Regulation, for the Militia, and to ap-
point Conservators of the peace and define their duties, — My do
ings therein, are enclosed No. 1. and 2. and after the 30th of Octo
ber, the time limited for Conservators to Administer the Oath
of allegiance, I propose to make an order to prevent Aliens Travel
ing the Territory, without Passports from myself or the said Con
servators.
Of late I hear no more of the Indians meaning to oppose our run=
ning the line, — Governor Gayoso indeed wrote a Confidential Journ
=al as though he believed they would not, at least, until it had Pro=
gressed to the Mobile. — He has seemed very Anxious to have one
Commence with him a Correspondence. — He has expressly to
some, and indirectly to others, proposed such a wish, and I have
gratified him as the enclosures shew, when the interests of my
Country seemed to demand it — As you know the man I omit
all Observations upon him.
My Anxious Solicitations, that the Civil Officers of Government
may be immediately sent out, I again reiterate, for so I am in
duty bound.
For the Laws of the different States, I repeat my Request, and for
Seals, Stationary, and blank Commissions also.

Rec

1790 The Absolute Necesity for more perfect arrangement in the Indian Department, must be so very obvious, that you will excuse my dwelling upon the Subject in all my Letters — I am by Law the Superintendent, — I know nothing of Indean affairs, — I have been two months nearly in the Territory, and not the smallest Communication made me from the Military thereupon. — The Secretary at War it Seems has Committed the whole Business to them at the Hazard Certainly of very great abuse in some Cases to the Interests of the United States, for wen Noncommissioned Officers, if I have been rightly informed have had Authority, to Misapply the Public Bounty. — I would Certainly have no Objection to Vesting all Indian Affairs with the Military, Save for the Law of the United States, in point to which, I must take leave to suppose, the Secretary pays no attention, but while this Law is in force, I have duties in that line not to be dispensed with, and totally out of my power to Execute under Present Arrangements. — It is said goods &c — are Absolutely Necesary at Military Posts to Conciliate the Indians — Granting this, would it not be proper that the persons having charge thereof, Should Account with the Superintendent for their distribution; Such method Among many other good Consequences, would prevent the impositions, which I am informed are practiced by small parties, or Individuals, having nothing else to do, going from Post to Post, and receiving at all, to the very unequal Division of the Bounty of Congress — If Conciliation be the intention, and effect of our presents, it is perhaps not unreasonable to ask that they may be made Sometimes at our Advanced Settlements, where Distributed with Judgment, they might have the effect to save from ruin every

Year-

Year as Number of Families who are on the Road of Ra[illegible] Visits to our parts, and literally eaten out of house and home by [illegible] — Those distressed People, their Complaints &c. are unknown to the Army, and the only possible Preventives to their distress (Presents) are not in my Command — even to offer a Pipe of Tobacco to the Indians, I must Solicit the Military Officer, who perhaps might be only a Corporal, — But I will Add no more upon that subject, persuaded that you will give what I have written due weight, and that I shall either be relieved, from all Responsibility in Indian Concerns or made more than a Nominal Superintendent.

One more matter only will I trouble you with at this time, We may be Suddenly brought unto us in this Country, and a Co-operation of Regular Troops and Militia become Necessary — I have the Public interests very much at heart, and I have the Feelings also of a Soldier; — I wish to provide for Contingencies, — Within the Territory I have no doubt of my right to Command, but the whole Militia might advance beyond the Line, — There could not be two heads to an Army without Constituting the greatest of Monsters, I should believe in my own Legitimate right to Command; a different Sentiment might prevail with the Commandant of the Regular Troops, Whether a General Field Officer, or Ensign; And the Consequences be most disastrous — Indulge me I request you with Advice, if no Rules Can be Obtained.

General Wilkinson arrived the day before Yesterday — He has done me the honour to ask my Opinion, upon the Propriety of leaving here, or descending the River — To prevent his men from debauching, and being debauched, as well as other Reasons, good and perhaps of more National importance, I have Recommended to him, to take Post at or near Some Rights, Erected three hundred feet above the Mississippi Commanding the River, and Called Loftis's Hills — They are almost Seven Miles above the Line — and I Suppose the Troops will descend on the morrow.

It would be well I think immediately to establish a Revenue Office here — Foreign Teas, Sugar, Coffee &c. are Consumed in no inconsiderable Quantity. — Is it Not a Matter of Business to appoint

1790

appoint Inspectors of our Staple (Cotton &c) or if there be Power with the Executive for such Arrangements, and the same be made of some Emolument to me, it would help me in my Disbursements, which my pay is quite inadequate.

Yet is very unfortunate for the Territory, that no means are provided, for regular Communication with you— A few Block-houses upon the way to the nearest Post office, or some arrangement that might be made with the Indians, for facilitating our dispatches, would be highly usefull, at Present I have reason to believe, that almost all our Letters, are robbed upon the way through the Indian Country.

By elsure I transmit the appointment of the Spanish Consul here, and wish the Presidents instruction thereupon.

I have the honour to be

Sir

your very humble Servant

Signed Winthrop Sargent

The Hon^ble

Secretary of State

Natchez September 29th 1790

Sir

So Soon as the Judges arrive, I propose to make a Division of the Territory, into two Districts or Counties— The Villa Gayoso Twenty miles above Natchez, I propose for the Seat of Justice in the upper District— There are a Sufficiency of public Buildings there for Court purposes, which with a Body of Land, say two hundred Acres, Seem to one to have been the Property of Spain, though a Mr. Green pretends to claim it.— The Military at Present hold it, by a Noncommissioned Officers guard, for the United States,— At Natchez which Should be another County Sown is a Roman Catholic Church, which would make a Convenient Courthouse, but having been Consecrated, it would Violate the Feelings of about a Dozen of families of the holy Catholic Religion, to be disagreable to our Neighbours as it was built by the King of Spain We have always been used for Sacred purposes, and therefore in my Opinion would be unwarrantable

— The

The Expinses of Jails, and Courthouses
very great— Jails however must be [illegible] the
the appropriation of the public Buildings, for Barracks &c. which
would be a very great Accommodation, and they can not
of any use whatever to the Army. The Same may from the
Rippit about a Mile, and Seventy miles above the Natural
Boundary.— For the Town of Natchez, is a house United States
Property, having been built by the King, as an appendage to
Church, and which would answer for a Courthouse— Office
full half a Mile from any of the Fortifications,— Is in the
Center of the Town, and being empty upon Captain Gaions ar-
rival, has ever since been by him occupied— Natchez the
General informs, will immediately be Evacuated almost by
the Troops, only a Subalterns guard left, but there seems a Reluc-
tance upon the part of the Military, to yield their Possessions— They
appear to Suppose themselves the Proper guardians of public pro-
perty— I have always myself believed the Governour Should be
the Guardian of all Lands Buildings &c. not Actually appropri-
ated by Special order of Government, or coming into the Pos-
session of the Military, by Cession as Actual Posts, or appendages
to Forts &c— and it might be observed, that the Troops may be call
off, and Buildings in Consequences go to Ruin, Whereas the Civil
Government always remaining, would Continue its care and
protection.
Those Buildings will I trust, very Soon be in demand for the
purposes before mentioned, and you would very much oblige
the Territory, by informing me as soon as possible, of the plea-
sure of the Executive in Point.

I am &c. &c.

The Honble Secretary of State, (Signed) Winthrop Sargent

Natchez 30th of September 1790

Dear Sir

From the examination taken before the Board of Officers, which
you have done me the honour to make me Acquainted with, it ap-
pears, that Coyes escape, has been produced in Consequence of an
almost total inattention, to my request which Certainly in his
Case Should have had all the effect of order.

The

1790 the measures Taken by you and myself, both before and Since he was made Prisoner, will leave no doubt with the President, when he shall be made Acquainted therewith, that we have hitherto Sacredly regarded our duty, but as the Business at present Stands, Suspicions of Collusion somewhere, will be harboured in the Public mind.

In Addition to my request to Captain Gunion which was committed to writing, and of the propriety of exact Compliance with which he Seemed fully impressed, I have denied unto every man, even persons in the Character of Gentlemen, any Communication whatever with Coyle, and Signified all these in most express terms, to the Military. — Of Captain Gunions Zeal and Judgment we neither of us I believe doubt, but in the most favourable Construction of the Catastrophe, we must presume there has been an unpardonable Omission Somewhere.

Some of Coyles Adherents were apprehended immediately, upon his escape, and are now in Confinement, under a Precept from the Civil Authority. — Judge Bowin will be good enough to give to your Excellency their names, and as you have the means through Some of the men under your order from Smith Land, to Ascertain the Characters, and Connexion of them with the Said Coyle in his Nefarious proceedings, I request trouble you for Such information, as will best determine how they are for the present to be disposed of.

With respectful Esteem I am,
your Excellency's most Obedient Servant
(Signed) Winthrop Sargent

His Excellency General James Wilkinson

Proclamation,

By His Excellency Winthrop Sargent, Govern
of the Misipsippi Territory.

Whereas it has been Represented unto me, that certain
persons within this Territory, have presumed presumed to
make Surveys upon the Lands of the United States, and
also within the Indian Boundary, marking trees & with
a View to Settlement, and in some instances, that they ha
actually established themselves upon such Lands, much
to the Public wrong, and in flagrant Violation to the
subsisting Laws for such cases made and provided.
Be it Known, Therefore, that I have thought proper to issu
this my Proclamation most Positively prohibiting, all
such Practices, upon penalty of fine and imprisonment
and declaratory also of my full determination, to cause
to be prosecuted all those who shall continue upon any of the Land
which may be within the discription herein before made, a
to this Public Notice.

Conservators of the peace are Requested to Report to the
Governor, all Cases of Violation to the Letter and Spirit of
this Proclamation, which may Come to their Knowe=
ledge.

Given under my hand and Seal near Natchez
Territory aforesaid October the fourth Anno=
Domini 1790, and in the 23d Year of the Inde=
pendence of United States of America.

(Signed) Winthrop Sargent

38

1790

Mississippi Territory

Concord House near Natchez 6th October 1790

Dear Sir

In reply to your favour of the 2d instant which did not come to hand untill last Evening, I transmit you an *Extract from the Ordinance of Congress for the Government of this Territory, which is in Point to your Queries, but I fondly hope there will be no Objections upon the part of present Claimants, to your taking ground for Camp, Fortifications, and the necessary Timber, for building or fire wood.— If otherwise I shoud deem a fair and legal appraisement proper.

I am Dear Sir,

With Respect and esteem, &c

Signed Winthrop Sargent

His Excellency Gov.r Wilkinson

*"Should the Public Exigencies, make it Necessary
"for the Common preservation, to take any Persons
"Property, or to demand his particular Services
"full Compensation shall be made for the same"

His Excellency the Governor received from General George Mathews, a Letter dated the 11th October 1790 to which he was pleased to reply as follows.

Sir

In reply to General Mathews's Letter of the 11th Inst. (this moment received) the Governor has to inform him, that he knows of no right in any Company to Lands within the Mississippi Territory, and that as

guardian

Guardian of Public property, he will consider it as [illegible] prevent all intrusions on the same.

Any supposed rights of Georgia, or Individuals claiming [illegible] that State, though not impaired by the establishment of the present Government, yet must in the Opinion of the Govern[illegible] be suspended for the decision of an important pre[illegible] vious question by the Commissioners, who have been pro[illegible] vided for in the first Article, of an Act of the Honourable Congress for establishing the Government of the Missi[illegible] sippi Territory.

The Governor Respects to General Mathews

Saturday October 13th 11 O'Clock A.M. 1790.

General Mathews.—

His Excellency the Governor having received an address from the Officers of the Southern Sub-Legion of Cavalry on the Subject of an Uniform &c. was pleased to make the following Reply, on the 14th of October 1790.

To the application of the Several Officers upon the Subject of an Uniform for the Militia, the Governor observes, that he can not make any Objection to Blue and red, or indeed any other Facings, provided the National Ground be preserved— He has mentioned the Blue and Buff, as it had been the Uniform of the General Staff, and as a mark of distinction from the Regular Troops.

It would be well however, that the Officers of the two Legions should Concur in the Uniform, and the Governor could be satisfied in the Result.— They will be good enough to make it known to him as soon as they can, and he trusts, no time may be lost in enrolling the Militia.

54

1790

Concord House 11th. October 1790

My Dear Sir

The information of your having to the line has delayed my acknowledgement of your favour of the 11th instant to the present moment.

I consider the arming of the Militia below as a Consequence of your Excellencys arrival, and my dispositions within the Territory.

So soon however as the enrolment of to which to which I suspect much insidious opposition from a few base and designing men I shall have been effected, I propose to have on paper at least, a select Corps equal to one half the efficient force of the District, well Armed Accoutred and Officered, and to act upon the Shortest Notice.

This Corps shall be called into Service, so soon as you will signify the seeming absolute Necessity therefor, Notwithstanding I have not, as I believe already informed you, been instructed in Point. — With them I propose to myself to take the field, and Cooperate with your Excellency.

I can have no Objection Sir, to giving you my Opinion in favour of fortifying without delay, at Loftis Cliffs, the Idea of the Ministers at War which you dissuade me from of Submitting to me notwithstanding. I ought to postpone for the Result of his deliberations might not only be Hazarding those important Cliffs, but the whole Territory besides.

Your Sick list Seems to me alarming, and I regret very much for your Officers; poor Lovelle in a very Special manner. — I think he has innate worth which endears him to all his Acquaintance, and Your Excellencys notice and estimation, must establish his Military fame

I. e.

I rejoice much at your Continuance in health, this appears to one of so very much National importance, that I pray you not to Remain too long at the Cliffs; Visit this Post Occasionally, I intend Removing to Natchez where I have taken a house, in a few days, and where it will give me great pleasure to Accommodate you.— My leaving Concord, Seems a matter of Public Necesity, I expect another of the Judges Shortly, and it will be proper for a Considerable time that I be with them.— Such arrangement I fond upon Calculation, must Considerably increase my expences, and I believe we both find the Public provision inadequate to our demand.— Indeed I should have found myself a good deal distressed, but for the facility which has been afforded me from the Quarter Masters Department, under your Excellencys order, and in Removing to the Natchez, I shall take leave to draw upon the same Source, but if it meets not your full approbation, I shall Cheerfully and immediately Reimburse the expense.

Mr. King will either hand you this, or be with you on the Morrow I can add nothing to what I have already said to you upon his Character.

When shall we, I mean when will you set about obtaining a Sketch of the Roads?.

Be good enough to give me the information Requested, Relative to the Characters of those of Coyes crew in Confinement, as it is quite time they should undergo an Examination, and if their crimes are of the Nature to admit of Bail, that it should be received.

Will you give me your opinion upon the propriety of my hiring an Indian Interpreter here, and if you have not made such provision as may enable me by presents to Conciliate in some Measure our Red Brothers, until I shall receive instructions thereupon from Government, I have to Request you would cause the due arrangements.

Melchell from the Choctaw Nation, who left this the day before Yesterday, alarmed me with the report of 2.000 Indians on their way to War with the Cadeaus, and intending to pass the Mississippi, at or near this place, with the expectation I should furnish them with provision and Ammunition, which you know is expressly Contrary to our Treaty with Spain, and I have

54

1790 have instructed Mitchell to use every method to dis-
cover their Intention. — From report I should expect
them here immediately, and they will certainly very much
distress our Settlements.

I am your affectionate Friend.,

Signed Winthrop Sargent

His Excellency
General Wilkinson

Concord House October 17th 1790

Dear Sir

I have already transmitted unto your Office of
my applications to Governor Gayoso, respecting Mitchell
the Pirate and Mr. Cox, and now do myself the honour to en-
close his Response, without any Animadversion thereupon
I enclose also, and open for your inspection, a Letter di-
to my Friend Mr. Ross, for really I have not time,
Otherwise to make unto you, the Communications
therein Contained — I dwell no more upon the ab-
sence of the Judges, though the same distresses me
and the Country in the extreme.
a Considerable Number of Choctaw Indians are ex-
pected here on the Morrow — their Numbers said to be
one thousand, and who Calculate I am told, upon
receiving Ammunition from me to War with the Indians
over the Mississippi — This Circumstance very much
embarrasses me, and their Presence will be distressing
to the Inhabitants of the Territory — The Ammunition
the can not have, and for want of Funds, I am
without an interpreter, and can not therefore make
my denial do easy to them as I could wish — I
trust all due provision will soon be made — at

any

any rate I must put an interpreter upon hand as the Season of Indian Visits is at hand, I shall repair to Natchez for the Winter, that I may prevent those expenses which do often happen, at all places of great Indian Resort.— This will much encrease my expenses, for house rent is three hundred Dollars — As an Office and a Council Room will be included in this, is it not proper my dear Sir, that Such expense be placed to the Account of the United States, for really I cannot well bear the Burthen my disbursements are already enormous, and without Relief in some way or other, I shall be obliged to leave the Government, to be pecuniarily distressed to the extreme.

It is a very, very long time my dear Sir, Since I heard from you— The last Volume of Laws is much wanted,— General Wilkinson has a Copy which he received from the Secretary at War.

With every Sentiment of most Respectfull Consideration and Regard, I am My Dear Sir,

very affectionately your friend and humble Servant

(Signed) Winthrop Sargent

P.S. I have broken the Seal of this letter to enclose an Indian Talk— I know not as yet what may be the Result

The Honorable Secretary of State

50

1790
Oct.

Mississippi Territory Oct. 4th. 1790

My Dear Sir

Your favours of July was delayed until the last month by a seeming kind of fatality to all dispatches for this Country — In our present Critical Situation Communications Should be Certain and Expeditious — I have very humbly proposed two Ways for facilitating the passage of Letters. — Perhaps they are both Rejected for I heard nothing farther thereupon — I trust however my dear Sir, that the very great importance of the Business to the United States, and the interests of a whole Government will not escape your attention — Vigilent as you always are for the Public Weal, I Confidently Calculate upon your Services for this Country at all times. — Feeble as is our Situation; and upon the very Confines of the United States, with jarring interests amongst the people we require the Parents Fostering care — A Speedy Adjustment of the Land Claims, upon Principles Similar to those adopted for the North Western Territory. and the Same Provisions for Seminaries of Learning, and Religious purposes, together with Encouragement in Judiciously Settling the Country, would have a most happy effect. — It being a frontier very much exposed, to Invasion through the Spanish Dominions, and also to the Indians, Should perhaps in Sound Policy, Obtain for us Some Special Indulgencies. — Our Numbers are very Small, and I believe we Shall not enrol in the Militia more than eight hundred men — They have Such Variety of Interests, and Opinions, that I almost dispair of Reconciling

Reconciling them to each other, or Concentrating all the good Will to our Government.— The men of property however I must rely upon; and my best exertions to the Public Weal shall never be wanting. But the Absence of the Judge is a most deplorable Circumstance to us all— I am Constrained sometimes to Measures in Consequence thereof, that imperious Necesity only can Justify— They will no doubt be noticed by the discontents, of which there are more than a few, and amongst them some most unprincipled Scoundrels.— The worst Construction is insidiously given by them to every Act of the General Government, and my Character and Conduct not unfrequently most grossly Misrepresented; Prompt and vigorous Measures will be taken, so Soon as they are fully known.— But they manage with great art and address.— I am truly Sorry to Suspect Mr. White to be of this Party— From his Standing in life, and his Assurances to me within the Territory, I had hoped the best from him; He is however to its said establishing himself below.— This man and also General Mathews, are of Loyes Acquaintances, I mean not to charge them with being his Accessaries, but the Countenance given him by both here, was Certainly improper.— My Freind Colo. Pickering will make you Acquainted with my Proceedings in Regard to this troublesome man, and I hereunder myself I shall stand Acquitted of undue Zeal to my Sovereign Your Suggestions with Regard to Illinois, indeed all your Communications I respect,— We are Acquainted,— It might be improper to add more, under such precarious Conveyance as is affordedme—

If some Compensation be not made me for past Services my Pockets will very Soon be empty of every thing but "Honour" and "honour" you as well as Falstaff, do Acknowledge will no more defray the

charges

1790. Oct. charges of this expensive Government, than set the Broken Leg or silence the pain of a wound. The arrears Actually due me would in a most pleasureable manner, meet my Necessities at this moment— The old report upon my claim went only to increase my pay to one thousand Dollars, in the Governors absence, he I believe, and one or two of the Committee choosing to Consider me as having nothing to do with the Indian Department— But the Presidents instructions from the Secretary of State upon the 10th of May 1790 place this Business in the proper Point of View, and demands of the Secretary in the absence of the Governor, the Superintendents duties, and it will naturally therefore seem that the thousand Dollars should be increased to the Governors full pay Viz Two Thousand Dollars.— I know you will have this Business adjusted if possible,— and kindly Considering my necessities, that you will not Judge me too importunate.

General Mathews has come forward to me in behalf of a New England Company of Land Speculators.— I inclose you his Letter and my reply. also a Proclamation, and solicit your opinion thereupon.

With every Sentiment of most respectfull Regard I am My Dear Sir.

Your very devoted Servant

(Signed) Winthrop Sargent.

The Hon.ble

James Ross

of the Senate of the United States,

By the Governor of the Mississippi Territory,

A Proclamation

The Governor has thought proper to direct, that all persons not Actually Citizen inhabitants of this Territory or of some one of the United States, should report themselves within two hours after their arrival at any of the settled parts of the Government to some one of the Conservators of the peace, upon penalty of imprisonment.

The Conservators will be pleased to examine their Passports, and Countersign such as are Regular and Authentic.— And no known exceptions to the Character of the bearers;— Suspicious persons are to be Confined and Reported to the Governor.— And the Inhabitants of the Territory are forbidden to entertain or comfort any person coming within the same who shall refuse or Neglect to Comply with this Regulation, (Ordained for Common good) without making immediate report thereof to some one of the Conservators of the Peace.

Alien Inhabitants not Specially Privileged by existing Treaties of the United States, must not be permitted to Traverse the Territory, without a Passport under the hand and Seal of the Governor,

The Power of Administring the Oath of allegiance by the Conservators of the peace is further Continued to, and inclusive of the 30th day of November next ensuing. So Seeming to me essential to afford Reasonable Opportunity within the Territory for taking the same.

Given under my hand and Seal at Concord House near Natchez and Territory aforesaid October the 10th Anno Domini 1790. And of the Independence of the United States of America the Fourteenth.

(Signed) Winthrop Sargent.

62

1790 By the Governor of the Mississippi Territory

A Proclamation

For the preservation of peace and good order, all persons within this Territory, are hereby prohibited from giving, or Vending to any Indian, or Indians, at or within three miles of the Town of Natchez, or of any other Settlement of White people, for the ordinary Jurisdiction of the Government, any Whisky Rum, Brandy, or other Ardent Spirits, upon Penalty of being punished with the utmost rigour.

This Prohibition to Continue in full force and effect to the first day of November next.

Given under my hand and Seal, at Concord house near Natchez, and Territory aforesaid on the 10th day of October 1790 and of the Independence of the United States of America the Twentythird.

(Signed) Winthrop Sargent

Proceedings in the Indean Department, the 19th of October 1790.

Friday 19th of October 1790 at Concord house near Natchez Mississippi Territory the Chiefs of about two hundred Warriors of the Choctaw Indians, Stated to the Governor, that they had received many Species of Injuries, and insults from Cadeaus — that they had latecntly endured the same for a long time, in the hope

hope and expectation, founded upon Assurances of Governor Gayoso, that they should have obtained Satisfaction, without Resorting to War.— But disappointed in Such expectation, they had embodied to the Number of two thousand, and proposed crossing the Mississippi to take revenge as Men and Warriors.— That they were without Arms, Ammunition, or Provisions, and relied upon the Bounty of their Fathers the United States to Supply them.

To all which the Governor made them upon the same day the following Answer.

My Children,

I am glad to See you, I take you by the hand in the name and behalf of the United States, and express to you their freindly disposition, for the Choctaw Nation, which I shall never fail to give you proofs of So far as is proper: Of this my own good will towards you, there may be now Some of your Warriors present, who have had the most Unequivocal proofs, and when I call their attention to an affair happening at Fort Washington upon the Mississippi four years Since, where a Small party was Surrounded by a Considerable Body of Drunken Men, with Guns and Tomahawks in their hands.— They will Recollect who it was that at the Risque of his own life, Saved theirs.— gave them again to See their Wives and Children, and to appear at this time to Support and defend their dearest Interests mark of affection So Strong, must force your belief, that he will always be your best friend, So long as you conduct yourselves well.

My Children, I Shall immediately cause you to be furnished with Provisions, but I can not Supply you with Arms, or Ammunition to go to War with the Indians, who are Under the protection of the Spaniards; Because we have mutually agreed to Restrain Such Conduct, and that neither party Shall pass into the Territory of the Other for hostile purposes If you desire it I Shall Represent your Grievances to Governor Gayoso, and Should Ample Satisfaction not immediately

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1790 by begiv on you, State the same to the President of the United States, and endeavour to have permission for you to carry on the War with that Vigour which you seem so much to desire, and in which case you will be amply supplied with Ammunition; and so great is my Love for you, that I will endeavour to obtain leave to Interest myself as though the cause of Offence, had immediately been offered to me in Person. My Children, I am but lately arrived in this Country I am not prepared to meet your Wants, — I believe however, it can not be long before I shall have it in my power to shew my Charity for your Wives and Children, and to afford you some Ammunition for the purpose of hunting. — But when you come to see me, it must be in small parties, and you must bring me a Letter of introduction from Mr. Mitchell. who has been appointed to reside in your Nation, to do you good Offices. — Your large parties distress the White people who are not able to furnish them with provisions. — You must Conduct yourselves here soberly and with good order, And you must take nothing from the Inhabitants without their Consent, and if they should ever offer you any injury, which I hope can not happen, you must make your Complaints to me, and I will Cause you to have Ample Justice, for such is my duty as well as inclination, And also to Observe one general rule for the white and red people, that is to afford them all protection whilst they behave well and equally to punish them, if the injure each other. My Children, I talk to you plainly, for as I have come to reside amongst you, it is necessary we should fully understand one another. — I therefore inform you, that Complaints have lately been made unto me, of white Persons being robbed, and ill treated, whilst traveling through your Country, — You must prevent this; but you are to suffer none of them to come amongst you, without a Writing from me, Some of the Governors of

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the United States, Commander of the Armies in this Country or other person that the President may Specially appoint to give Licences, and unless they have such Authority you are to Inlist or detain them Prisoners, and Send them to me.

And all persons attempting to Trade amongst you, without a Licence from me or Some other person whom the President may appoint, must be treated in the same manner.

I have ordered you Some provisions for this day and So soon as you inform me of the time of your departure, I will See that you are Supplied for your Journey

(Signed) Winthrop Sargent

October the 20th 1790.

Dear Sir

By Captain Guion, I acknowledge your favour of the 15th.. received the day before Yesterday.

The Governours Conduct is Such as I Suspected and I think wrong, the Committing himself So much as he did to you was out of the Question.

Of the importance of retaking Oyo I am fully impressed, and will most cheerfully Cooperate with you in devising and Executing, any Plan for the purpose, and Authorize as far as my limited Ability extends, any expence. Your own proposition herein is I think, a very good one, but there is no person in my View to execute it. If we could rely upon one of the Soldiers in the Fort, the affair would Certainly wear a face and promise us Success.

I have not time now to be so particular as I could wish, in this and Some other Subjects, but I shall take the next opportunity to write you more fully.— I am making up my dispatches for your Ships, and am more than a little troubled by the Indians, we have upwards of one hundred who are going to War with the Cadeceus, and demand of me Ammunition, which you know our Treaty with Spain forbids us Supplying.— Some how or other I hope to be rid of them Soon.

Accept my dear Sir, thanks for your kind Congratulations to which I will Say more thereupon hereafter, and I am Sure I

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need not assure you how happy I should be to make you a Visit.

Best wishes attend you

My Dear Sir,

From yours affectionately

(Signed) Winthrop Sargent

His Excellency

General James Wilkinson

Natchez 24th October 1790

Dear Sir

Your measures with regard to Mr. Freeman appear to me Strictly proper, and perhaps the delay thereof, has been Necessary, at your request I shall endeavour to prevail on Mr. Howard a Conservator of the peace, to attend your Camp immediately, duly Authorized to Authenticate Depositions, interesting to the Nation. As he can not be Compensated for this Service from any Funds in my Controul, it will be Necessary that the same should be effected from your means, for which in my opinion, the United States should be debited.

Being very much engaged at present, I can add only my best Respects, for Madam Minor the Major and Compliments to the Gentlemen of my knowledge

My Respects, and very great esteem also for yourself and am,

Dear Sir,

your very humble Servant

(Signed) Winthrop Sargent

The Hon^ble

Andrew Ellicot

1790 Joshua Howard Esquire one of the Conservators of the peace for the Southern District of the Mississippi Territory, is hereby Authorized to repair to the Seat of the Honourable Andrew Ellicot, and there take and Certify, any and all depositions, which may be proposed unto him, and in which the Interests of the United States are directly or indirectly implicated.

Given under my hand and Seal at Concord House near Natchez Mississippi Territory October the 24th. Anno Domini 1790.

(Signed) Winthrop Sargent.

Mississippi Territory. Nov. 1st. 1790

Nov. 1. Dear Sir,

The very many Letters I have taken leave to address to you, in almost all of which, I have solicited the means of effecting that Conciliation with the Indians, which it has been directed me to endeavour to make, will I am persuaded produce the Measures Juvish, and either enable me Completely to discharge the Superintendent duties, or leave them altogether with the Military, by discharging me from Responsibility.

My situation as it has been Connected with the Indian affairs, has ever since my arrival in the Country been very disagreeable—Though by indulgence from the Military, I have been enabled sometimes to give them a few Rations—But the Accompanying extract of a Letter from General Wilkinson, seems to take away, such power, and as the Indians are every day coming in, and calling upon me must produce no inconsiderable embarrassment, I had written to the General for his Opinion, respecting my taking into service an Indian Interpreter, and asking to receive Occasionally from the Public Stores, some of the Indian goods.—I had also expressed a wish, that a house in the Town of Natchez, which had been Surren-

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xd up to the Military with the Forts Public Stores &c, But which was under the Spanish Govern. ment appropriated for Civil purposes, Should be Subject to the Controul of myself, for the Secretary's and my Offices, and as a place for Convening the Legislature of the Territory, and to meet the Indians for Some of which purposes Shave been Constrained to take a Building, that will cost me three hundred Dollars per year.

The General writes me thus,— "With regard to your Excellency's having an Indian Interpreter, I presume it may be Justified by the Exigency of the Case.— But with respect to your Excellency's appropriation of Provisions, or the Goods transmitted to the Military under Special Orders from the Minister of War, to the Indians, after the most deliberate enquiry and Consideration, I can not find that it is Authorized by Government,— The appropriation of Provisions under your Excellency's order cannot take effect, before Special Laws and Special Contracts are made for the purpose; but the goods are Subject to the disposition of the Administration, and may be ordered into any hands they please,— The quantity however now in Store is trifling indeed and I am Constantly teazed by Small parties of the Six Iroon Choctaws Since I have been here; my Conduct towards them is Conformable to my orders, the Same which I pursued in the Northwestern Territory, and while it is directed by my Superiors, and Aimed at the Public good, I am persuaded your Excellency will take no Exceptions to it— It is desirable that the whole Indian Concern Should be Concentrated to a Point and Regulated by a Single hand, but however desirable, this will be found difficult, for being taught by Education and habit, to look to the Sword as the Sourc

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shows and debates of Justice, as [illegible] not be diverted from Military Parades, and the display of the National Insignia, Standards, Arms, Embattled Banks, and Martial Music which impress the Inhabitants of our Forests, more forcibly than Argument.

I should feel much pleasure in Accommodating Colonel Steele at your Excellency's Request, as well as from the personal Regard I bear him, but Considering the honours conferred by the Shawanees to our Military, National property, I dare not dispose of that in discretion, otherwise than to National purposes."

I forbear any remarks on the foregoing.—The same and any previous application upon Indian Affairs, and the public property in this Country, not Actually before assembling unto the Military, will I trust obtain speedy attention.

With warm esteem and very Sincere respect,
I have the honour to be
My Dear Sir
your Obedient and very humble Servant
Signed Winthrop Sargent.

The Honourable
Secretary of State.

The Grove November 2d. 1790

My Dear Sir,

My Col.: Hamtramack I was honoured with your favour — previous thereto, I had recommended to Brevin, to dismiss three of Coy.s men, who had been in Confinement, though not in Commission, but to detain Young Cope and Hancock.—Hence I know not but I shall if opportunity offers, endeavour to make the most of him, always keeping in View the Obligation of your Caution.

That you are governed by your own Opinion in the discussion, as to the Controll of Indian goods, Provisions in the Military Department be, is Certainly Strictly proper, and that such Decision has been made up "upon the most deliberate Enqui-

1790. and Consideration." further Confirms me of Radical
Nov. Defects in the Indian System — the Situation of
myself and demands almost every day made upon
me by the Choctaws, will however under the Govern-
ment of such System, Subject the United States to in-
creased expenses, for deprived of drawing Rations from
the Contractor, or Goods from the Indian Stores, I must
be under the Necessity of Satisfying demands, at the ex-
orbitant prices of this Country,
I thank you for your Assurances of good Will to Col.
Steele and myself, as it relates to the House — I was
before your Letter from my much experience perfectly
convinced, of your friendly and obliging disposition to
for the application for Col. Steele I held National Conve-
nience in View, — and for him and myself, the Public must
furnish Offices. but 'tis proper the Sovereigns Should Con-
stitute the Guardians of Public property explicitly, and
I shall be Satisfied.

I am, My Dear Sir,

With most respectfull Consideration

your Affectionate,

(Signed) Winthrop Sargent.

His Excellency
General Wilkinson,
Loftis's Cliffs,

The Governor thought proper to Issue a Warrant in the Words following. — And directed, that the same Should be entered on the Journal.

Natchez November 7th 1790.

To Lewis Evans Esquire, Sheriff of the Lower or Southern District. Mississippi Territory

Sir

Sir,

You are hereby Commanded to apprehend if to be found within the Mississippi Territory, and cause to be brought before William Dunbar, and James McIntosh Esquires, Conservators of the Peace, upon Friday the 10th instant, 10 O'Clock A.M. James White John Callahan, and William West, to Answer for high crimes and Misdemeanors against the United States.

For all which this shall be your Sufficient Warrant.

You will also Summon Joshua Howard Esquire, Fran. Smith, John Mitchell, Antony Hackett, and Wilford Hack-ett, to attend as Witnesses.

Given under my hand and Seal at Natchez, date before mentioned, and to be returned with your Proceedings in the Premises, to the aforesaid Conservators.

Signed Winthrop Sargent,
Governor

Note, For aid in the Execution of this precept, Captain Hetherington commanding at Fort Sargent, is requested to furnish you with any necessary escort.

Sir, Natchez 7th of November 1790.

Reiterated applications have been made unto me, upon the Subject of intestate Estates, within the Mississippi Territory which would properly come before a Judge of Probate, if such an Officer was known,—so soon as the Powers and duties thereof can be defined by Law, I have intended to make such appointment for you if perfectly agreeable.

In the mean time there should be some kind of Provision for Exigencies; I have to request therefore, that in all cases where it may be necessary, you would Accarding to your best Judgement, and Rules that have been observed in the Northwestern Territory, grant Letters of Administration, when they shall be requested, always taking Sufficient Security, for faithful discharge of trusts that may be reposed, and delaying final decrees, until Laws in Point may be adopted and Published.

I inclose unto you the Copy of a Precept issued this day

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72

1790. the Sheriff, and will take care that you receive all
Nov. Necessary information, before the same is returnable,—
I presume it will be most agreeable to you, that the Ne-
cessary examinations, should take place at your own
house,— if otherwise and a portiunity presents, be good
enough to Signify the same to the Sheriff Seasonably.—
My Special Confidence in you and Mr. McIntosh,
has induced me to Select you for this Business, which
perhaps is of more than Common Consequence, to the
quiet and Contentment of our Country.

I am with very much esteem, and great Consideration

Dear Sir,

your Excellent humble Servant,

(Signed) Winthrop Sergent.

William Dunbar Esquire.

Natchez Mississippi Territory

November 7th. 1790

Three hundred Dollars reward for apprehending and delivering to the Undersigned, or to the Commanding Officer at Fort Sargent, in the Town of Natchez Mississippi Territory, at any time within the present Year, Zachariah Cope, who was Confined in said Fort, for high Crimes and Misdemeanors against the United States, and made his escape therefrom upon the twenty sixth of September Ultimo.

(Signed) Winthrop Sergent.

The Grove Evening of the 19th. Novr. 1790

My Dear Sir,

Your two favours dated November the 4th. came to hand the day before Yesterday, and that of the 5th this Morning, and at this place.

I have Cautioned the fellow Specially, and
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Promised him three hundred Dollars for [redacted] Services which we are both Anxious should be performed. but I dispair almost of Success.

I have issued a Proclamation, offering three hundred Dollars Reward for apprehending Zachariah Cope,—this I have been Specially induced to, in order to produce Conviction, that we Justify the Measure of his Confinement, and to do away the effect of a Monstrous Manuscript, (in Size I mean) which he has been Rambled about, at Natchez for very wicked purposes no doubt.— I have not read it, but Send it to you, by question as it may be soon returned.— I believe our friend White has ushered this into being— He was to have been off on the Morrow for Orleans, Boat and Baggage, but Some very imprudent Observations, Said to have been made by him, have induced one to order his arrest, and on the Morrow he will undergo an Examination before two Conservators of the Peace, and if any information be Correct, must be held Responsible, to appear hereafter at the Supreme Tribunal of this Territory.— I would have preferred to have been quietly rid of him.— Of Old. H. - - I know nothing of late,— I believe him Capable of any Mischief. and will Soon as he Shall enough Commit himself. pursue any measure of duty, to prevent the Possibility of ill effect therefrom.

Your intelligence of excesses Committed at the Villia Gayoso, and which I believe to be ill founded, is the only information I have Obtained thereupon,— My Services for Preservation of the Public Property, and to Notice outrages outrages thereupon, Shall not be wanting.

Mr. Clarks general Character and your so full Commendation of the Man, entitle him to very much of my esteem, and Confidence,— I have as yet Seen but little of him, but Certainly Shall treat him with marked distinction.

With great Respect, I am
My Dear Sir
Your very humble Servant
(Signed) Winthrop Sargent

His Excellency
General James Wilkinson

74

Natchez November 14th 1790

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Sir

I Received your favour and am well pleased with your past exertions.—You may Calculate upon my interest to serve you, in every thing wherein I can Consistently do it.—This Letter is to desire your Services in apprehending Zachariah Coyc, a Prisoner of the United States, and sending him to me at Natchez—By so doing you will render very important good to our Country.—He escaped from the Fort here on the Twenty fifth of September last, and is to pass from New Orleans through the Choctaw Nation, and probably by the Tombigby Settlement. If he is taken send him under care of some Confidential Characters, who will not suffer him to escape. I am &c.

Mr. Welch (Signed) Winthrop Sergent.

Formerly an Indian Interpreter at Natchez.
Tombigby.

Natchez November 14th 1790.

Sir

I send to you an Express, with a Letter for Mr. Welch Open for your inspection, I pray you to use every exertion to take Coyc, and send him to me— You will thereby render very important Services to the United States, I shall cheerfully discharge every reasonable Expense attending the Same— The bearer of this may be detained if Necessary to assist in bringing on Coyc, if he is to be taken, and it seems to be more than probable he may pass in your Vicinity.

I am Sir, With much Consideration
your humble Servant,

Mr. Mitchell (Signed) Winthrop Sargent.

Natchez 4th of November 1790.

My Dear Sir

I Received your favour with the enclosed Papers of Kentucky, and am truly distressed at the most abominable Spirit which Seems prevailing there.

In Consequence of your Advice, and Calculating upon the Funds under your Controul, I have dispatched a Confidential Character, James Stuart to Mitchell with the Choctaws, and thence to one Welch of Tombigby, Requesting them to Apprehend Cope.— Stuart has been Sworn to Secrecy, and entrusted with the Business, so that hearing himself apprehend him, if good Fortune should throw him in his way.

"Entre Nous" I have had a very long Confab. with Col. Hutchins, for the first time Since I have been in the Country — He Seems a little alarmed at Something, and most Solemnly protests, that every Assertion which he has ever made in Relation to yourself, was from the Authority of ——— And would I am persuaded if Required, make Such a Disposition for himself, as Should place his Conduct to all but unbelievers, in rather a meritorious Point of View than Otherwise.— But of this more when we meet.— And in the mean while you will Observe the Preparatory Caution.

I have employed an Interpreter and have drawn Rations for him— If you Can not Consistently admit this, I must Endeavour to make Some Contract myself, not only for the present Purpose, But Occasionally to give a little Bread, and Beef, to the Indians, who are too much troubling me.— I Request when you order them any Whisky, they may be obliged to take it out of Store, otherwise they will give me double. — Drunk a few days past. they had almost Committed Murder, — Natchez from the perverseness of Some of the People, the Society of Indians and Negroes on Sundays, has become a most Abominable Place— I must myself in the Absence of the Judges, act

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at Some Police. but 'twill be ineffectual w
out, aid of the Garrison, — Can you be good e
nough to Command it.

Accept my best Wishes, and believe me
to be, My Dear Sir,

very affectionately
your friend and humble Servant
Signed Winthrop Sargent.

His Excellency General James Wilkinson

Natchez 23d. November 1790.

Sir

I have received from you Several Letters mentioning Vacancies, in the Legion under your order, with a list of persons Recommended to Supply Some of them, but not all.

I have desired Major Gerault to Confer with you, So that at last, I may render this Business by one order Journal, and which I would wish, might also embrace the Subject of the Uniform, and all other matters that may be noticed in that Address, which you inform me is to be presented, — As the Multiplying of writings, y not Absolutely Necessary, I would avoid, the Same interfering with other engagements, of no inconsiderable Public importance.

You have written to me Sir, in Strong Adverse terms to the placing of a Prison for the upper District at Union Town, where I am assured by Some Respectable Authority, Lands will be given for public uses, — the Jail Built by private Subscription, and also a house for Courts Supplied upon the Same terms, until a Suitable Building can be provided for.

As I have respect for your Judgment, knowledge of the people, and Country, I have to desire you would give me

me information of any place, uniting more, or equal Public Convenience. with the disposition to erect a Prison, free of Expense to your District. I am,

Sir,

with much Consideration.

your most Obedient

(Signed) Winthrop Sargent.

Col. West.

Natchez. November 24th 1790.

Gentlemen,

The Timber for a Jail in the lower District of the Missisippi Territory being now at the Landing of this place, Ready to be transported to a proper Site, for erecting such a Necessary Building, I have to Request, you would View the Grounds in, and Adjacent to the Town, and fix upon Some Suitable Spot, having in View all the Requisites for the Occasion, amongst which, are principly, Salubrity of Air, Facility of Supplying water, Necessary Security, in case of intention to Rescue from Confinement by appeal to the Inhabitants, and the Expense of Supplying Sufficient Grounds, not only for the Prison, but a Court house, — I wish you to Counsel with Judge Bruin upon this Business.

Signed Winthrop Sargent,

Messrs Peter Walker & Lewis Evans.

Natchez Missisippi Territory

December 1st 1790.

Sir.

Being perfectly disposed to aid the Operation of Justice in Benefit even to Nations unconnected by Amity with the United States, and persuaded that 'tis their intention to Consider Spain in a Very favourable Point of view. I am Anxious Promptly to deliver over, to your Justice, the fugitives therefrom, and Could I hesitate a moment to Surrender

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any Atrocious Malefactor; escaping from your Government, and found within this Territory, had not an Asylum been granted, to a most Abandoned Offender against the United States, within the Province of Louisiana: His Excellency the Governor General believing the Treaty made no Provision, to Authorize his giving him up at my Request; having however no Reason to alter an Opinion then Expressed (save the Example of his Excellency) I shall demonstrate my Zeal in the cause of Justice, and the Amities of my Nation, by arresting Palmer, if he is to be found within my Jurisdiction,— of which I shall Advertize you, and demand Instructions from the General Government of the United States. I am &c &c

(Signed) Winthrop Sargent.

Monsieur. Filhiol Commandant Fort Miro

Natchez December 4th 1790

Sir

I now inclose you a Compleate list of Officers to the Legion under your Command— Not however According exactly with your Nomination,— but no Consideration of a Private nature, will I trust Operate in your mind to the injury of Service.

Although Major Harrison had Actually made his Resignation, yet as the Cause was Absolute necessity, and not dislike to Service, and so soon as such Necessity ceased he Signified in a manner very Reputable to himself, a desire to Act. in any Station, for which I might believe him Qualified— he ought not to be excluded, and he Certainly seems very Capable of Military Service.

You mentioned to me in your last Letter, that you were assured People would Generously Contribute to Building

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a Jail be— if it was to be in any "county" proper Situation
if you will inform me of such Situation, with full Assurance
of the Necessary Buildings, I shall Sanction the same, w
out delay. Provided that if the Situation which may
be proposed Should be remote from Population, the Adven
thereof, will give Security to the Jail, till it acquire it by
Sufficient accession of Inhabitants.

The Prison being now most absolutely necessary, and it ap
pearing to me also, that no new delay, Should take place
in designating the Seat of Justice, I wish to receive from
you, a reply to this Letter so soon as is Convenient. I am
Sir,
your most Obedient Servant,
Signed Winthrop Sargent.
Lieutenant Col. Cato-West

Militia Orders

Mississippi Territory
December the 4th 1790.

The Governor has taken the earliest opportunity of sig
nifying to the Gentlemen Officers, of the Northern or upper Regi
on, his approbation of their Choice of Uniform.—desirous
of promoting their Wishes, by every means in his power, he
will make application to the Supreme Executive, of the United
States, for a Supply of Arms and Accoutrements, as they have
been proposed, so soon as a Complete return, of deficiencies, shall
be made unto them.

Lieutenant Colonel West, having reported Some Characte
Intended for Offices in the Corps under his Command, as de
cling the Honour and duty of Serving their Country, the
Governor has so filled up the Vacancies thereby Occasioned
that he persuades himself, the Legion could not have been bet
Officered.

The following is the List of Gentlemen, who are to be Com
missioned, So disposed According to the best information
which the Governor has been able to obtain, as will
most promote their general Convenience, and the good
of Service.

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Cato West Esquire Lieutenant Colonel Comman
John Gerault Esquire Major of Cavalry.
William Thomas, Henry Green, and Thomas Calvit
Esquires, Captains.
James Fruly, George Salier, and John Brooks Gentle-
men Lieutenants.
James Spain, Jacob Stamply, and Lacy Ramsey
Gentlemen Cornets.
Richard Harrison Esquire, Major of Infantry.
Roger Dixon, Arthur Carney, and Tobias Bradshaw
Esquires, Captains
James M.c Intyre, Gibson Clark, and George W.
Humphreys Gentlemen Lieutenants.
Charles Boardman, James Davenport, and Eden
Bradshaw Gentlemen Ensigns.
James M.c Intyre, Adjutant,
They are to be obeyed, and respected, agreeably to their
respective appointments, and Military usage.

Given at Natchez date before mention
by

(Signed) Winthrop Sargent
Governor and Commander in Chief
of the Militia.

Natchez December 10.th 1790.

Sir

When I saw you here, you were told, and
truly told that I was not possessed, of the means
of making any presents to the Indians; that it
was uncertain when and what Supplies I
might receive for such purpose, and that
I certainly could not expect any until the rais-
ing of the Waters, that therefore the Indians
should

should be put off with fair words untill deeds were in
power, of which I should be seasonably Advertized; and
thus that the Large War party destined for this place, come
on with the expectation, which it seems you had inad-
vertently Encouraged, of receiving Ammunition from me
should be put back, or turned aside. — They however came
on, and unprepared as I was to meet them, I met them
in tolerable Temper, not however without a great deal of
Drunkeness, and Consequent mischief from them and others
who in very Considerable numbers are every day Visiting me
— I scarcely was I well rid of this War party, ere I received
a long List of very great men, as you have been represent-
ed them, That you had permitted to Visit me, and upon the
good Reception of whom, your well being, and the inte-
rests of the United States, very much depended — Up-
on my own order therefore therefore, I made some provis-
ion for small Donations, believing that here the Business
would have had a pause, But every day Sir, I find
Chiefs and great Captains, coming in with your Pass-
ports, and whose expectations from Assurances, they in-
form me they had from you, are very much raised, —
'tis a Misfortune to the United States, a Source of
great Anxiety to me, and perhaps may be an injury
to you, that I can not Answer them, but 'tis really out
of my Power, nor do I believe General Wilkinson
has the means at present. — But I am not informed
what Indian Goods may be with the Military, or
what the Choctaws have been led to expect, from them,
for to the present Moment, I am ignorant of the Corres-
pondence, and Communications, between your Cap-
tain Guion, and the preceding Commandants
in this Territory. I am,

Sir,

your humble Servant.

(Signed) Winthrop Sargent.

Mr. Mitchell

Agent with the Choctaws.

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Natchez December 20th 17

Missisippi Territory

Sir

The Inhabitants of this Country have Solicited, that the Honourable Congress, would be pleased to extend unto them, Similar Benefits with those ordained, for promoting Religious purposes, and the advancement of Seminaries of Learning, in Districts their Northwestern Territory — I take the leave Sir, to enclose their address, Requesting the same may be laid before Congress — the Advantages which will Result from Granting their Petition, are so obvious, that I forbear an Observation thereupon.

In Several of my former Letters Sir, I have presumed to express an Opinion, of the Necessity of early attention to the Land Claims of the people here, — Soured by the Seeming inattention of the General Government, which no doubt is insidiously Blazoned, by Spanish Emissaries, we are loosing of the Inhabitants whilst discontent is every moment increasing, amongst those who remain behind, — and indeed it is not very Strange, that So it Should be, for destitute of Municiple Laws or efficient Magistrates, our State is truly deplorable, and untill the arrival of the Judges, it Can not be otherwise. Diffused over our Country, are Aliens of Various Characters and amongst them the most Abandoned of Villains who have escaped from the Chains and Prisons of Spain, and been Convicted of the Blackest of Crimes — it would be wise and good Policy, I Should Conceive Sir, that Provision might be made for promptly extirpating Such from our Territory, for this enough for to Correct and punish our own Crimes, and even this Seems at present totally beyond our Ability — We have no Pri

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sons," as sufficient pleas of [redacted], and the
offenders thereof Calculate with some Certainty, on
impunity,—I have done every thing in my power,
more perhaps, but I trust necessity will plead my
tification,—All however is inadequate, and every
just Cause of Complaint will remain till some
Complete System for our good Regulation, be adopt
which I most fervently supplicate may no longer be
layed,—I pray it for the sake of the People, for the
fair reputation and Dignity of the United States,
and for my own honour peace and quiet,—I am here
Sir, a mere Cipher, and Tortured by [redacted] thousand
wiles, which I can not Remedy or redress.—My situation
is distressing, and but for the Countenance of hope
would be truly Wretched.

The Task of the Judges and myself will be more and more
Arduous as they shall delay coming to the Province, Re-
leased from Spanish Bondage, this Country would have
Received with Rapture, any Code of Laws from the United
States, but being almost in a State of Nature, since their
Emancipation, the very mildest Statutes, I am apprehen-
sive may be Considered as oppressive,—I shall however
you may rest assured Sir, Continue to use my best endea-
vours, at all times to Conciliate them to Good Govern-
ment, and the National Interests, Remembering always
my duty, to the Sovereign Authority.

The Population of this Country Sir, as I have already assu
you is small.—Very inferior to the Adjacent Establishment
in Louisiana, and this Consideration, in our distant
and defenceless State, upon any Occasion of Disgust
with the General Government, might incline them to
seek a Reunion with their Old Province,—a liberal or
Equitable decision however upon these Land Claims
would I should believe produce a preference for the
United States, But Remaining a very small people a
mere handfull of men, their apprehensions from red as wel
as White Neighbours might Nevertheless, induce a Conduct
Nationally injurious,—To provide against which Sir,
I humbly Conceive it would be very good Policy, to ofte

as

1790

Dec.

as immediately as Possible, on this Coast a Land Office,— And Encourage Settlements a Considerable Population,— For with our present Numbers, we are in Continual Anxiety from the Choctaw Indians,— They are almost always in our Settlements, and living upon us— Their Numbers so great that the defenceless Planters, are very apt Just to Sacrifice almost their whole Crops, for the Preservation of their lives, and it not unfrequently happens, that those Indians are Nevertheless Insolent,— I trust and pray Sir, You and in behalf of the Inhabitants of this Territory, and myself that some measures may be taken, to remedy this almost intolerable evil.— It was somewhat Complained of under the Spanish Government, but as they took care to furnish those presents, which it was always their Custom to bestow, in places remote from Plantation Settlements their Sufferings were not so great as ours—

We must I Conceive Sir, Submit to make the Choctaw Indians Annual Presents, or be at War with them, for Individuals will not always be Constrained to Perform This Purchase duty of the Public, they will resist with Temper and Violence, and Hostilities be the Consequence.

A few more Inhabitants to make us Respectable and Some Journal Covenant for Regular and Stated Presents, to the Indians would I believe but as right- Those Presents however, Should be made at a distance from our Settlements, for but to preserve Amity with the White and Red People, is to keep them far apart.— I would wish Sir, to give you a good and Satisfactory Account of the Militia, but they are not so arranged as to enable one to make unto you a Compleat Return,— I Suppose however they will amount to about Eight Hundred, but very destitute of Arms— One half this number will be Cavalry— They are desirous of Receiving Arms from the United States, by Purchase, and if the Same could be Complied with, on Such Sort.

sent on, it might be Beneficial to the Nation, as well as individuals of this Territory. My own Opinion is Sir, that Horsemen of this Country, Should be Armed with one Sabre Only, Swords of Straight Blades, and a Short Carbines or long Bayonets, which would enable them to fight on foot as well as on Horseback.

I have the honour to be,

Sir,

Yr. Obt. Hble. Servt.

(Signed) Winthrop Sergeant

The Honourable

Secretary of State.

The Grove 20th. of December 1790.

Sir

Yesterday was put into my hands a note from you that I suppose may have been sometime in those of a Servant of mine in Town — Informing me of a Melancholy event which had taken place in your Family, and the determination to decline your Office as Major of Militia. — For the death of your Child Sir, I am truely sorry, and Sincerely Sympathize with Mrs. Bingham and yourself. — I had believed that this Misfortune to your family, could not have Annulled the Obligation of your Promise, to perform the duties of the Commandant of Infantry in the Southern Legion, until the Militia was Organized Completely &c. You were appointed under a full persuasion that you was of Character Unequivocally American, And I could Conceive no Sufficient Cause for Such declining those duties, which every man wishing well to the present Government, under the Order of the United States, is in honour bound to perform, — There are Some perhaps within this Territory, who may deprecate all Allegiance to the United States, and Others who have a Predilection to the State of Nature But I flattered myself Mr Bingham came not within the Discription, of either of those Characters, — He this

however

96

1790.

Dec. 4

however as it may, I deem it Encumbent upon him, to make report of the State of the Officers, men Enrolled under his Command, and a return of the Orders which were given, for his Government, at the time of his appointment, before he can believe himself Released from the Obligations, of duty and of Promise.

I am Sir

your most Obedient humble Servant

Signed Winthrop Sargent

Mr. Adam Bingham,

Mississippi Territory December 4th

1790.

My Dear Sir

The Absence of the Judges Continues us yet almost in a State of Anarchy, and is truely distressing to one. — I know not what will be the End of it, — The Secretary has been so very ill ever since his arrival in the Territory, that it is doubtfull if he can recover And to Multiply my Embarrassments, the Indian Agent with the Choctaws, (Samuel Mitchell) is crowding me almost every day with Some of their Chiefs, and I have been Constrained in Consequence to purchase Blankets &c, to the Amount of nearly four hundred Dollars, for which I have drawn a Bill in favour of Mr. Abijah Hunt, and which I request you would Cause to be duely honored. — It has been fortunate, perhaps that Mr. Hunt was here, for Otherwise I might not have obtained Credit, And the Indians been if possible more dissatisfied — They have indeed Cause of Complaint, for by Mr. Ellicotts Indian Communications, it appears they have been promised very much, and I verily believe as yet, little has been performed. It Certainly Seems Advisable for Government, if the intention to Continue this Country tenable)

for

for the present Somewhat to notice the Choctaw Nation, and to provide immediately for Populating sufficiently hereafter this Frontier Confine,—for the Jew scattered Inhabitants of the Territory, are every day thinned by the Machinations of a Doctor White, (formerly of Congress,) and other Malcontents.—

Cope who has had Some Communion with those people is I believe about Establishing himself, with his Bandittie Somewhere within the Spanish Line, and I am more confirmed than ever, that very improper Countenance was shown him by Governor Gayoso, but upon this head General Wilkinson has Communicated so fully, that nothing is left for me to Add.

Cope has returned to one under the present Circumstances of the upper Country, as we receive them so Capable of doing great Mischief, to the United States, that I had sent off a Runner to the Choctaw Nation, requesting the Agent to arrest him and bring him back in case he Should take that Route from Orleans.— No. 1.2.3.4 will place this Business fair to your View, and perhaps Convince you, as they have me, that our Agent is either Knave or fool, but I Strongly Suspect the former.— The mere Circumstance of Copes being in the Indian Country, without a Passport Should have been Enough for the Agent to have had him Arrested and brought back— However as he is of Col°. Hawkins's appointment, and I am totally uninformed of his Character, I have been Silent, but you ccan not doubt he has entirely lost my Confidence, or of my desire that he Should be immediately disgraced, by removal; upon which Subject I Request you to instruct me.—

For the Choctaw Nation we Should have a man of Respectability and influence, for we ought Calculate upon having the Spanish interests Jealousies and

Malevolence

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Malevolence to Contend with.

Before I close this Sir, I take leave to Observe, that it Seems Absolutely Necessary, I Should be furnished with Some Fund for Contingencies. — And it not been that Mr. Hunt was willing to take my Draught, I must have been very much distressed, by the Injury which would have Accrued to the Public Besides the Indian Goods Absolutely Essential in this Department, I must often incur Expences for Expresses, and other Public Purposes as well as Some which perhaps Should be Secret.

I have the honour to be
Dear Sir
Your very humble Servant
Signed Winthrop Sargent

The Honourable
Secretary of State.

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* This Copy was sent by Expresses from Maj. Cushing, dated on the 10th of Augt 1799 for Nashville.

* A Copy of the foregoing from the first Page was ordered for transmission to the Secretary of State to which was annexed a Certificate in and who set the words following Viz.

I do Certify that the foregoing Pages from No. one to one hundred and five (inclusive) Contain a Copy of the Journal of "the Proceedings of the Governor in his Executive Department from the 24th of May until the 31st of December 1790.

Given under my hand and Seal as "Secretary "in and for the Mississippi Territory" in the County of Adams, this eighteenth day of June in the Year One Thousand Seven Hundred and Ninety nine

John Steele

1799

Jan. 3

The Governor has received the note which Judge Bruin has been good enough to send him, enclosing the Letter from Mr. Brashears — Will Judge Bruin be so obliging as to Signify to Mr. Brashears the Governor full approbation of his Zeal in the Service of his Country. the Sound Judgment of a Jew Such well disposed men as Mr. Brashears will be Sufficient to Counteract the Machinations of more cunning, and more Mischievous Characters than the Burnet he has mentioned Burnet however Should in the Opinion of the Governor be immediately noticed by the Judge, and if his conduct has been Such as is represented he ought to be Committed to Prison unless he can give very good Security for his future good behaviour. A Man by name of Burnet, and probably the Same, mentioned by Mr. Brashears's Letter was reported to the Governor upon his Arrival in the Mississippi Territory as a Most inveterate Foe to the Americans generally, and that he had been known publicly to. Express his Wishes that every one of them coming to this Country might be Massacred or forced to return with the Loss of his Scalp. — Surely no people of the United States can be so misguided then as to believe Such a Character a proper Reformer of any Government or to receive him as a Counsellor even in the worst possible Situation of men and things.

January 3d 1799. Natchez

90

1799
Jany.

Tuesday Morning 7th. of January
1799. The Grove

Dear Sir,

I hoped to have met you in Town the day before yesterday and been informed what Steps were taken with that Incendiary Burnett— It will be hoped I should be present at his Examination at Least I wish it— The General is very much displeased at the liberties he has taken with his name and the falsehood he has uttered— The General writes me that Disorder is prevailing in his Camp to the most alarming degree.— It can only be prevented by some Stipulation with Governor Gayoso, which it seems he is willing to enter into.— I propose therefore immediately to issue my Proclamation that no Foreigner shall be permitted to enter the Territory without a Passport from the Supreme Authority whence he has Migrated which must be duly Authenticated by Seal and Signature— Be good enough to give me your sentiments upon this Measure.

With Respectful esteem I am

Dear Sir

Yours &c &c

(Signed) Winthrop Sargent.

The Honble Judge Burnet

January 8th 1799.
Mississippi Territory.

Sir

At the Special desire of the Inhabitants of this Territory, I have the honour to transmit unto you their enclosed Address,

Though deprecating with them in great Measure a War for the United States, I feel nevertheless all the impatience of a Soldier at Public Wrongs and so far as I may confide in my Zeal, attachment, and intentions for the honour and Independence of our Country. I take leave to Pledge myself to the Utmost of any Power at the head of this People, or in any other Station Government may place me, for every possible personal exertion to their Service in Peace or War.

With every Sentiment of Respect,

I have the honour to be,

Sir

your most Obedient

most devoted Servant

(Signed) Winthrop Sargent

The President of the United States

Private.

January the 8th 1799
Mississippi Territory

Dear Sir

In transmitting an Address from the People of this Territory an opportunity is offered of most respectfully tendering my very best wishes to you and Mrs Adams at the least hazard of intrusion and I take

92

1799

take leave also of assuring you of my sincere desi
to be useful to you in this Country — you can n
indeed Sir afford me a much greater Satisfacti
than by directing how I may Contribute to your ple
sures or your Service,

My Public duties to the President of the United Sta
important as they are impressed upon my mind
produce not more devotion than my respect and a
miration of his Private Character. — With such sen
ments Sir it can not be doubted I received the n
formation of your Election to the So Dignified Stati
with almost ineffable pleasure — I believed it among
the very highest order of Blessings for my Country an
have been rendered happy by the Assurance that wo
Act of your Administration has tended to make new
Converts to Such faith.

Early Sir I should I have come forward with most h
spectful Salutations to the President but my humbl
Station offered not the Occasion. — Though possessing
soul as firmly attached to Government as any
man in the Union, I dreaded to intrude and from
the same motive I add only most Sincere Prayers for
the uninterrupted felicity of yourself and Mrs Adams.

I have the Honour to be with most respectful
Consideration,

Dear Sir,

Your most Obedient and devoted Servant,

(Signed) Winthrop Sargent.

The President of the United States —

Mississippi Territory
January 6th 1799

Sir,—

My intercourse with the Atlantic States is so very Seldom, my knowledge of Gentlemen in Congress now so imperfect that I am Constrained to trespass upon you for the disposal of the enclosed Petitions instead of addressing myself immediately to Gentlemen of the Senate and house of Representatives, I will Suggest however a wish, that if Mr. Ross be at Present of the Senate and Mr. Otis of the House that they may be brought forward through the Medium of their favour.— I have recalled that if the Same Record with National Views and intentions they will by those Gentlemen be most ably advocated. I have Said in many of my Public and Private Letters Heretofore Said So very much upon the Policy of early attention to the Land Claims of the People of this Country and liberal Confirmation where neither fraud or Chicane have been intended, as well as upon the great Public Advantages which in my opinion would accrue from encouraging Settlement to Such extent as might Constitute us a Sufficient Barrier against a Foreign Enemy and render us Respectable to the Indians that little more is left for me to add upon those important Subjects.

A Copy of a Proclamation which I have issued to prevent intrusion upon the Lands of the United States has been transmitted unto you and I have taken no other Measure which might have a tendency to alarm or disturb Settlers of any discription whatever. Some who had established themselves here before and Since the Ratification of our Treaty with Spain even to within

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1799 Jan'y.

in a very short time of my Arrival in the Territory without any Authority whatever and who have stood to one their particular Cases, I have permitted to Remain in quiet possession until the pleasure of the General Government be known— Expressing however upon all Occasions the Determination to remove any who have presumed to intrude themselves upon Vacant Lands since my arrival within the Government; And this I do as the Guardian of Public Duty I believed Encumbent upon me— Nothing doubting but that Congress will express their full approbation of such Measure by the decisions which they may hereafter make in Regard to the Possessions of the People of this Country.

From the very liberal Donations of Lands to the Inhabitants of the Western Counties in the North Western Territory the Settlers within this Government have seems been led to make some Expectations with which I am inclined to believe it is not the Spirit of Prudent times to Comply.

The Donations to the Antient Settlers, and the Militia of Vincennes and the Villages upon the upper Mississippi are urged to me as reasons for the future Bounty of Congress, and I am strongly importuned for any Solicitations in Point.

The Local Circumstances of this Country do perhaps Require for ourselves and for the Nation the best trained and the best Organized Militia and of Course a devotion of a greater portion of time than may be elsewhere Necessary in the Union— And this being Bestowed some Consideration might possibly be due us.

But I am Sorry to say I have not yet Experienced a disposition for extraordinary ~~Services~~ to the United States— Considerable opposition has been made to my endeavours at Military arrangements, and the Militia are not yet Completely enrolled— Though but only Released from ~~Thursday~~ Service Monday they would immediately assume all Government— And the Appointment of their Officers Civil and Military is a measure Advocated by some wicked and designing men amongst them, I flatter myself however that Sober Sense will prevail and that the Speedy arrival of the Judges who I am informed are upon the River do all right.

I have the honour to be with every Sentiment of Respect and esteem.

Sir

your most Obedient humble Servant

(Signed) Winthrop Sargent

The Honourable

Secretary of State.

The Grove near Natchez

January 8th. 1799.

Dear Sir,

I have been honoured with your two favours of the 31st. of December and those of the 4th and 6th instant with the depositions Relative to Coye which are strong indeed to my mind in Proof of his manifold sins and transgressions— But yet not Sufficient to Demand him from the Executive of Tennessee— Where probably every legal formality will be required— Wickliff and Prior's depositions, or either of them, Authenticated before a Magistrate Mr. Clark if you please, are all however

Most

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that are necessary and if the Deponents be in your quarter I request you would furnish me with the same without delay — In the mean time I will cause search to be made in the Neighbourhood of Natchez and if there to be found I will effect the Essential before Judge Brain.

The Expences of Apprehending and bringing M.r Cox before the Tribunal here must be a Territorial Expence, in the first Instance though in the End the United States ought and will no doubt Reimburse it — This Consideration will apologize for my Asking such Military Aid as may safely guard him to this place: perhaps it would be Convenient to give his Escort from Lieutenant Colonel Butlers Command.

Your Excellency's Statement of the Prevalence of desertion from the Army under Command is to me as well as yourself very alarming and ought I think to Justify any prohibition to all Foreigners from entering this Territory without Passports duly Authenticated by Seal & Signature from the Supreme Authority whence they may come provided Such Rule be observed in Louisiane also but for effectually carrying into Execution a Mandate in Point, I must make any Reliance upon the Vigilance and Patriotizm of the Military Principally.

I Authorize you however My Dear Sir to make Assurance to Governor Gayoso that I will issue a Proclamation to Prohibit the Inhabitants of Louisiane from entering this Territory but by his permission Conditioned that he makes Such Order as

may

may remedy the evil of desertion — "But" entre Nous" I will ground my Mandate upon the aggravated Civil injuries and public Wrongs sustained by us and which in great Measure I verily believe should be Attributed to the influx of Spaniards from below. —— Your Excellency waits I cannot therefore add more my dear Sir but the best Wishes of

Your affectionate

(Signed) Winthrop Sargent

His Excy. General James Wilkinson

Dear Sir Mississippi Territory January 15th 1799

I have demanded of the Executive of the State of Tennessee that Zachariah Cope who was Confined within this Territory for high Crimes and Misdemeanors against the United States and who has escaped from Justice should be apprehended if to be found within the said State that he may be brought back to receive his trial here.

I have to Request you would be pleased to furnish the necessary Guards for bringing him back in case he should be apprehended and that you would be good enough to Signify your intention of so doing to the Governor of Tennessee as the same must be the most certain and least expensive mode of Accomplishing such Object — You will not I am persuaded need Apology for this Application as the interests of the United States are Implicated therein, — I have informed Governor Sevier that you are duly Authorized to appoint an Agent to receive Cope.

With respectful Consideration I am,

Dear Sir Your most Obedient,

(Signed) Winthrop Sargent,

Col. Thomas Butler,

Commanding the Troops of the United States in the State of Tennessee.

90

1799 Jan'y.

Sir Mississippi Territory January 15th 1799

Under the Authority of the Act of the United States Respecting Fugitives from Justice I have to request of your Excellency that Zacariah Cope, who has been in confinement here for high Crimes and Misdemeanors and escaping some time in September; is said to be now in the State over which your Excellency presides should be arrested and delivered to the Application of Colonel Thomas Butler Commanding the Troops of the United States within your Government or notice transmitted unto me in case he should not apply in Order that the said Cope may be brought back to Answer before the Supreme Tribunal of the Territory upon the charges which are alleged against him.

That my demand Sir may have all the essential formality I enclose unto your Excellency the Depositions of Robert Prior and Martin Wickliff which as you will observe were both originally made before the Judge Advocate of the Army because I believe no Civil Magistrate could then with any convenience be applied to and the Deponents would necessarily have been called before a Civil Court in the Event of a Trial.—Prior your Excellency will observe has again been Sworn and before a Magistrate of my Appointment—Wickliff is at present out of the Territory but I certify to your Excellency that full faith is in my mind due to Mr. Hyde before whom his deposition was made and that they are (both of them) as Authentic as the time place and Circumstances in which they were taken would Admit.—And further that there is in my possession other and equal Evidence & Proof of what is alleged in Wickliffs deposition against Cope, and of Crimes not there Noticed but which it is Unnecessary to detail to your Excellency.

With very respectful Consideration I have the honour to be,

Sir, Your Excellencys,

Most Obedient humble Servant.

His Exc'y.
The Governor of
Tennessee.

(Signed) Winthrop Sargent.

Mississippi Territory January 15th 1799

Sir,

By Judge Sitton who arrived here on the 9th or 10th inst. I was honoured with your favours of the 2d of August (circular) Relative to our Envoys in France — 4th do. Covering the same with the notice of Laws &c, forwarded me, — And 31st of August Public and Private — The Judge's Boat was too small to permit his bringing me on the Stationary or indeed ought save the Laws of the two last Sessions of Congress, the Seal for the Territory, Commissions and the Instructions to our Envoys in France which I shall distribute according to the intention of Government.

The Judge's arrival gives us to Legislate — it was most essential and we will set about it without delay though with much Regret on my part at the want of the Laws of the several States as we must be compelled to form our Code from the Volumes of the Northwestern Territory, which I by no means can be induced to believe a very good Basis.

If I mistake not Sir I have already Advised you of the number of Seals with the Inscriptions which I believe proper for this Territory but my papers being with the Secretary and he aware of this setting off immediately I can not exactly determine in season for advertizing you by this Conveyance.

By your observations Sir upon Indian Affairs am Relieved from some embarrassment, and find myself very much obliged — I persuade myself that Government will speedily Ordain the due arrangements to System and the full Execution of the Laws Regulating the Superintendents of the Indian Concerns.

In former Letters Sir I have taken leave to State to you the necessity of holding a Treaty with the Southern Indians — Entering into certain Stipulations to keep them apart from the while People with these Expectations founded upon promises of Mr. Ellecott & other practices to the Northern Indians that they would receive some Annual presents from the United States, I shall therefore delay farther Communication with them than they absolutely Constrain me to until the pleasure of Government to my special Instruction in Point may be signified, For as all Indian Conferences are Expensive it is certainly best our first

1799 first should be express and definitive. I have this written unto the Governor of Tennessee of this date demanding him Zacariah Coye as a fugitive from Justice and who said to be within his Government — I have Accompanied my demand with the Depositions of Prior and Duff which have been transmitted to our Executive General Wilkinson — And I persuade myself this proceeding may obtain the approbation of Government. Upon a Representation formally made me of desertion prevailing amongst the Troops as to hazard the loss of almost all our little Army in this Country and some Overtures from below through General Wilkinson to enter into Stipulations to prevent it. I have Adventured to give Assurance that I will prohibit foreigners from coming into the Territory without Authentic Passports until the pleasure of the General Government may be Signified to the Contrary provided the Same be Reciprocated by Governor Gayoso and I have good Reason to believe the Advantage will be very much with the Territory, by preventing an influx of the very worst of men.

With the highest Respect I am,

Sir.

your very humble Servant,

(Signed) Winthrop Sargent.

The Hon^ble

Secretary of State

Grove near Natchez January 19^th^ 1799

Dear Sir

I have been honoured and Obliged by your favours of the 9^th^ 10^th^ and 12^th^ instant — and M^r^ Robinson has received my dispatches for Philadelphia — The Letter to Governor Sevier demanding Coye and a Request to Col^o^ Butler for the Escort in case he Should be apprehended.

M^r^

Mr. Burnet called upon me denying the allegations made against him in Brashears's Letter which had been previously submitted to Judge Burnin and of which I informed him. Your declining to transmit the Address of this People to the President of the United States, and their Petition to the Senate and house of Representatives, meets my Ideas of Delicacy and propriety, for I should believe myself highly Reprehensible in interference with any matters merely Military — The same Character Addressing your Excellency upon the Premises made a Deputation to me with some Minutes of their Proceedings from which it appeared that your Excellency and the Governor of this Territory were to be Requested to transmit their Address Petition &c. They informed that they were instructed to Solicit my sentiments as to the Style and on calle thereof, and that the Reason of your Excellency's being Associated with myself was for the Avail of our Joint Influence. — I observed to them that so far as their wishes might Comport with National Interests I should always believe it my duty to promote them by all the means in my Power, that I would alone Present their Address and the Petition with certain alterations which I suggested, provided the same was Requested of me in writing and that I believed myself their only proper Organ of Communication to the Supreme Executive or General Government, but that I should make no Objection to any application they might be induced to make to your Excellency — And by Mr. Robinson I have forwarded them with a Letter in which they were inclosed unto me.

In my Address to the Governour of Tennessee I transmitted not only Priors but Wickliffs deposition also, giving to the latter all the Authenticity which a Certificate of Mr. Hyde's Character, and the ~~almost~~ almost impossibility of application to a Civil Magistrate when it was taken may effect — And for another Copy therefore I have to Request,

I have

1799
Feb.y 1.

I have no papers or Letters later than the 31st of August which time the public Offices were at Trenton — The Secretary of State promises me the Several Prints from Philadelphia which he observes may be particularly useful in case of the establishment of a Press in this Country.

With Respectful esteem I am,
Dear Sir
your most Obedient
(Signed) Winthrop Sargent.

The Honorable
Secretary of State.

Mississippi Territory February 8th 1799

Sir

Your Letter afforded me very much Satisfaction by the assurance of your being with the Creeks, and their proper Consideration of present Circumstances and good disposition towards the United States.

I had been induced to believe they had banished you their Nation and been endeavouring to excite the Choctaws Chickasaws and Cherokees to take up the Hatchet against the United States — The Story of your exile came from one Mitchell an Agent with the Choctaws, and I believe by your appointment — I like not this man, I believe him ill disposed and Ignorant of Indian affairs, but perhaps I mistake his Character — He however refused at my written request to assist a Messenger in the Choctaw Nation in apprehending Mr. Cope who had escaped from confinement and Aided him to take such route that he has avoided our Justice and returned to the Spanish Dominions by the way of the Establishment he called Smithland upon the Ohio River. Mitchell has very improperly encouraged the Indians to Visit me here though he knew I was unprepared to receive them, having descended the River at short notice and of course without the means of making them any suitable

Ray

They have been taught by Mr. Ellicott and others to expect an and the disappointment may operate evil. — I have stated all those circumstances and Considerations to the General Government and hope soon to receive their Order in Point. — which I believe it proper that you be early informed, and until the present Arrangement for the Superintendency of Indian affairs in this Southern Department it seems to me Essential to the Public Interests that we Communicate freely upon all Indian Concerns which shall come to our knowledge respectively and by this Sentiment I will be governed.

I will add only sir to Express a wish that we had an agent with the Choctaws fully Conversant in Indian Affairs of Strictest integrity and Character Unequivocally National.

With due respect and Consideration, I am, Sir

your very humble Servant,

(Signed) Winthrop Sargent.

Col. Benjamin Hawkins,

Creek Nation.

Mississippi Territory March 2d 1799

Sir

I do myself the honour of Acknowledging your Polite Letter of Notice of Mr. Copes Arrest &c. which has somehow or other however been delayed until the present date.

As there are various ways of an Officer's discharging his duty at this Crisis, and your honour seems to have pursued that best adapted to support the Interests and honour of our Nation (in dispite of Popular Prejudice and Pasion) I can not avoid Expressing my most Cordial Satisfaction upon the Occasion, and the pleasure I feel in finding my zealous intention to promote the Public Weal so Efficiently Aided by a Gentleman of your well known respectability of Public as well as private Character — I have already Addressed the Supreme Executive of Tennessee in demand of Cope and Street with due Cautions having specified the same Substantially, in Sufficient form of law & if however there be the possibility of demur within your Observation

1799
Mch.

Observation I shall gratefully receive the Notice and w
Calculate upon detention Enough to report my applicati
Mr. Coxe Sir has Traversed the Indian Country within
Government over which I have the honour to preside witho
passport, which is a Crime, amongst others, of which I ha
not Advertized Governor Sevier, but of which it is not am
perhaps at this time to give you information.

I have the honour to be with Sentiments of great Respect
Sir
your honours,
Obedient humble Servant
(Signed) Winthrop Sargent

The Honourable
Judge M^c Nary

Mississippi Territory March 13th 1799

Sir

In many of my former Letters I have Stated unto you that a very Considerable Number of Choctaw Indians were in the habit of resorting to the Settled parts of this Territory and preying upon the people to their very great distress — that they had been led to expect some notice from the General Government in Consequence of promises made unto them by Mr. Ellicott, and our practice to the Northern and Chickasaw Indians and that I believed it very essential we should enter into some Covenant with them to prevent the Multiplied aggresions Complained of — Unless some remedy for the evils Should Shortly be applied we may and probably Shall be involved in an Indian War — for the people will not much longer, endure with nonresistance the Continued and Violence upon our part will no doubt be followed by open and avowed hostility Spoliations of their property — I have made and Shall continue every Exertion in my Power for the common good — I recommend patience and forbearance to the White people and assure the Indians that I have Specially Recommended them to the notice and Protection of the General Government, but I have of late been Constrained to

declare.

declare that I would cause them to be punished with imprisonment and Stripes if they shall persist in their Rapine & Plunder— And I have most Ardently to Supplicate Sir immediate Instruction for my Government.

I have already Advertized you of the arrival of Judge Tilton, and in Consequence we are at length Legislating but destitute of the Laws of the several States we necessarily make instead of adopting them the right to do which has heretofore been a Question— Very Diffident of my own Law Knowledge I feel Extreme Anxious for the presence of Judge M^c Guire who I am taught to believe is a great Professional Character.

The Stationary for the Territory arrived a few days past but there are not any Wafers adapted for the Territorial Seal —The Presses have also come on but no Seal for the district or Supreme Court— I have before informed you Sir that I would divide the Territory into two Districts the One of which should be called the District of Adams, and the Other Pickering— We Shall need therefore a Seal for the "Supreme Court," and One for each of the Districts, to be inscribed the Seal of District Mississippi Territory inserting in the Blank the name of the District.

The Laws of the United States passed under the Administration of President Washington have not been Received for a former Letter Sir I took leave to State to you that some Grounds and Public Buildings at the Villa Gayoso Supposed to be the property of the United States and also a house at Natchez neither of which were ever Occupied by the Spanish Military had been Possessed by the Troops of the United States upon Surrender of this Country and were held for Army Uses though they were unconnected with and Independent of all fortified Posts and Places and might be very useful for Civil purposes— General Wilkinson has since

caused

1799.

Mar.

caused the Villa Gayos to be abandoned finding the
an encumbrance but retains the Building at Natch
upon which and for the Disposition of those in the
Villa Gayoso I have to request the Order of Govern
ment.

I have the honour to be with very great Respe
Sir,

your Obedient humble Servant,

(Signed) Winthrop Sargent.

The Honourable Secretary of State.

The following Private Letter was written by his Ex-
cellency the Governour and directed to be entered on
the Journal.

Natchez March 13th 1799

My Dear Sir,

In some former Letters I solicited that so soon
as I should have Organized this Government Com
pletely I might be permitted to Visit the Atlantic Stat
for the Adjustment of private Concerns important
to myself and the Establishment of my health, the
latter Reason however thank God, is no longer in
force but from a Connexion which I have formed in this
Country there has Originated One, (to my feelings) equally
important— Mrs. Sargent a Woman of most delicate
and tender Constitution, requires the Benefit of the North
ern Breezes and Sea Air to preserve her for my happine
and her friends— to you Sir who are a husband and
a Friend I need not urge
apology for this Address— Provided Sir the Storms
which have so long been gathering in Europe should

Subside

Subsicle and all the due arrangement for the good Government of this Territory be made in Season, may I be permitted to Visit Philadelphia in the Summer months by the Way of New Orleans — Or in case the Necessary Organization here Should not be timously effected to enable me to make So long a Voyage would it be Admissible that I pass with Mrs. Sargent a Couple of the Summer Months at Pensacola — A Place famed in this Country for the Salubrity of its Atmosphere: — I would on all not as Should be thought proper make my Voyage by New Orleans, or through the Lakes — Upon these Subjects my dear Sir I have to Request as soon as possible a line of Advice.

My most Ardent Aspirations for the health of Mrs. Pickering and yourself and family are most respectfully tendered by,

My Dear Sir,

Your Sincere friend, and Obedient humble Servant

(Signed) Winthrop Sargent

The Honorable

Secretary of State

Natchez March the 14th 1799

Accept Sir I pray you my very Sincere and Warm thanks for your several favours to and inclusive of the first of March which my present pressing Public Avocations have prevented earlier Acknowledging — You are undoubtedly informed that the Territorial Judges with myself Constitute the Legislature for this Government, and we are now very much engaged in Such Business — I will take leave to transmit you the Product of our Labours Periodically in Sheets as the Same Shall come from the Press, persuaded that you will take an Interest in which so importantly

1799

Mar.

importantly concerns a people over whom your Exc
ay has Specially presided, and amongst whom y
have so many worthy Admirers and freinds.

Your Excellencys Requests will always receive from me
the most Prompt attention— Your Courier for upon
Louisiane instantly received a Passport throug this
Territory and a Special Accommodation to that of
the United States Northwest of the River Ohio.

It is not the Order or Spirit of my Government to a
ford an Asylum to Fugitives of any Colour or discrip
and I shall always liberally Construe the Laws and
Ordinances of the United States to enable myself to ad
minister General Justice and perfectly Conciliate ou
Nations which I pray God may always Remain in a
The Assurances which I have given Mr. Vidal Relati
to runaway Negroes Seems to have been Satisfactory
to him and I trust will be to your Excellency— And w
Shall immediately Set about effecting Such Regulation
as may prevent deserters and other infamous Charact
from coming within this Government which perhaps c
not any way be more readily Accomplished than by
making Certificates under the Signature and Seal of
the Supreme Authority essential to all Foreigners asking
admission but whatever Measures may be adopted sh
be communicated to your Excellency without delay.

And now Sir again let me offer the very grateful Acknow
ledgements of Mrs. Sargent and myself to your Exce
lency and Madam Gayoso for all your kind affectionat
and Parental Attentions to our Child, we Ardently long
See her and fondly hope She is at this Moment Winging
her way to us.

For the course of events is it not possible we may See you
in this Country— Mrs. Sargent and myself are desirous
of Demonstrating Civility and friendship to Madam

Gayoso

Gayoso and yourself or any of your freinds that you
be pleased to recommend to our notice — Accept we
pray you our Ardent and most Sincere Wishes for your
health's and happiness, and believe me always with most
respectful Consideration.

Your Excellency's,

Obedient humble Servant

(Signed) Winthrop Sargent

Governor Gayoso.

Dear Sir, The Grove Natchez March 17th 1799

By the Dragoon I received yours of the 14th the day before Yesterday, but have it not yet in my Power, to acquaint you of the Provision to prevent Desertion.
I can only observe to you as he is Charged with dis= patches and it would be improper to detain him, that my own Idea and Expectation is that Foreigners Should and will be prohibited Admission without passports from the Supreme Authority whence they come or other Sufficient Testimonial to prove them of good Character.
but the Legislature being now in Session, 'tis proper I have their Sanction for any Measure to be adopted.
I have expected the Judges here for two days past — To= morrow I Shall undoubtedly see them, and this Business will engage our first Attention, and with the Result you Shall be Acquainted without delay.
The Best wishes of Mrs. Sargent and myself attend Mrs. Wilkinson and you, we hope She has Recovered of her Indisposition I am,

My Dear Sir

With most Respectful esteem

your Obedient humble Servant

(Signed) Winthrop Sargent

General Wilkinson

110

Natchez March 21st 1799

1799
Mar.

The following Private Letter of this date was written by his Excellency the Governor, and ordered to be entered on the Journal.

My Dear Sir

I have been honoured with your Public and Private Letters of the 10th Inst. of December this Evening, and shall take the first Certain Opportunity to Respond Specially thereto.— So very Suspicious am I of Standing well in your Opinion— that all my Conduct and even desires should Seem (as I intend them) to be founded upon Strictest Propriety, that I can not delay a moment to explain any matter that may be problematical, and therefore embrace a very uncertain Conveyance to Reply to the Private Letter.

For the Adjustment of my Relative Military Rank in case of Service with the Regular Troops in this Country I must confess I felt very great Anxiety but it does not in the present time Seem so very essential as when I took leave to address you thereupon, and in no case or Circumstance will I Trust your Opinion of my Patriotism Love unfounded.

The Subject of Revenue and introduced in mine of September was with a View to the Public interests; to prevent an illicit Trade with the upper Country and from an Opinion that a Port of entry Should be established either at Natchez or the National Boundary, where from its being upon the very confine of our Country, I believed it might be desirable to give the Governor here a kind of Superintendency— And in an Aggregate view of Services to allow the Guide his pay— The Special

management

management of inspection or indeed any Revenue
Offices I certainly believe very incompatible with the
Station of any Territorial Officer (as such) within this
Government.
Your Ardent desire for my early arrival in this Terri-
tory to Organize the Militia and which ~~xx xx~~
were equalled by my own at the time of leaving the
Northwestern Territory increased tenfold upon my
arrival here, for every day brought me Reports of
French Fleets off the Balize — Militia Officers and
Men Organized under the Spanish Government
would not have Received Confidence, if such there
had been — but the fact is there was no Militia in
the Natchez Disbrict — Governor Gayoso once Con-
templated such establishment, but the Baron Caron-
delet forbid it. — To have accepted of Volunteers
I must have Relinquished to the people the Power of
appointing their own Officers. which Government had
Specially Required I Should Exercise myself — Twas
therefore that I adopted the Plan, which I have had the
honour to communicate — The fines seemed Abso-
lutely Necessary — I consulted the only Judge pre-
sent — No inconvenience I am happy to inform you
has accrued — And Since the Arrival of Judge Tilton
we have made a Militia Law, taking my Trans-
mitted Regulations for the Basis, for as I have al-
ready Communicated to you we are Constrained
to follow the Practice of the Northwestern Territory
and make Laws being destitute of the Laws of the
Original States.
For your Observations Towards My Person, I request
you to Accept my Sincere Thanks and I Solicit their
Continuance.
The Presidents Speech pamphlet &c are the first Copies

that

772

1799
Mar.

that I have come to hand, notwithstanding the time w
has elapsed Since their Publication. — tis to me a
Melancholy consideration, that my Public and pri
vate Communications with the atlantic States
is So exbreme difficult and tedious — I derive howe
a hope from a Paragraph in your Public Letter that the
may be Remedied and will endeavour to Advertize y
of the expense of Riding monthly from this to the nearest
office. I am &c. &c.

Signed Winthrop Sargent.

The Honourable Secretary of State.

Sir

Natchez March 22d 1799

Your long indisposition and many engagements of duty in your
Short intewals of Convalenscence have hitherto delayed
my asking your attention to the Public Records of the
district (or Territory) about which I am very Anxious
and which So Soon as you can anywise make it con-
venient, I have to Request you would receive from Major
Gratiot. — They are deposited in Fort Sargent and the Ma
jor with whom they were left by the Spanish Governm
had my direction to place thereon his Seal for their bette
Security.

I have the honour to be with respect and esteem
your humble Servant

Signed Winthrop Sargent.

Col. Steele
Secretary Mississipi Territory.

Sir

Natchez March 22d 1799

The enclosed Proclamation intended to prevent Desertion (and other evils) by producing a similar Prohibition to Fugitives from the Governor of Louisiana, I hope may prove Enough Efficient — It is founded upon a Statute of this Territory, entitled "a Law concerning all and Contageous diseases" of which you shall be furnished with a Copy so soon as it comes from the Press.

I have to Request Sir that you would give the necessary Orders to the Officers Commanding at Military Posts in Aid of this Proclamation — and I presume Sir to Suggest to you an Opinion that the Establishment of a Post somewhere about the Grindstone Ford upon the Bayou Pierre which I believe you have already had in Contemplation, might be highly Beneficial to the Purpose.

I have the honour to be, Sir,

with very respectful esteem,

your Obedient humble Servant.

(Signed) Winthrop Sargent.

General James Wilkinson

Dear Sir

Natchez March 22. 1799

I enclose you Extracts of a Letter from the Secretary of State respecting Coyc his arrest &c. &c and the Attorney Generals opinion Relative thereto — it is more than probable that the Supreme Court of the Mississippi Territory will be held ere long and though Coyc may not be brought before them, yet that some of his Associates (Young Coy and Hancock) will — for any and every Communication you can make me of their Criminal proceedings I shall be very much Obliged — I

must

1799 Mar. must request of you a List of the most material dences with information where they are to be found Also a Copy of the Deposition which I was Consid ed to Send on to Tennessee, and which you were good enough to promise to Replace.

(Signed) Winthrop Sargent

General James Wilkinson,

General Militia Orders

March the 25th 1799 Mississippi Territory

The Commander in Chief herewith transmits to each and every Field Officer and Captain of Militia in the Mississippi Territory the Law for esta blishing the Militia thereof, which with the Regulati ons before Published (and not Militating with the Said Law are to be fully and Punctually Obser ed.

Commissions for the Officers will be made out so soon as the Commander in Chief is furnished with a List of those who have accepted their Appointments; he hopes to receive the Same with out delay — to include all the Officers of the up: per District from Lieutenant Colo. West — a List of the Officers of the Cavalry in the Lowe District from Major Osmun, and a Return of Infantry Officers in the Same District from th Captains or Officers Commanding Companies. It is his intention to Complete the Corps in Officers without delay — And in all Vacancie

whi

which Shall Subsequently happen to pay every proper
Attention to Seniority— In order to which the Relative
Rank of Gentlemen will be determined upon the Usual
Military Principles either by himself or a Board of
Field Officers.

In enrolling the Militia the Commander in Chief has
been desirous that the Officers and men Should be
Classed in Such Order as might be mutually Satisfactory
having in View however the Absolute Necessity of Such
Arrangement as may ensure the most Readily embodying
the Companies for Defence and Exercise— Hence
an Idea which it Seems has prevailed, that it is
absolutely necessary for the privates to Signify their
intention of being in Some one or other Corps or Company
is very Erroneous.— for it is enough that the Officers
Shall Arrange their Respective Companies upon the
Genral Principles of Convenience herein before Noticed
and Advertize the Concerned According to Law.—
This Measure must be immediately pursued, that no
more delay in the Musters and Exercises which
have been Ordered may be Experienced.— for Such
is the Spirit of the Law, which the Commander in
Chief and every Militia Officer are in honour and
duty bound to Carry into full and Complete
Effect.

(Signed) Winthrop Sargent

116

1799
Mar -

By the Governor of the Mississippi Territory.

A Proclamation.

Whereas it has been represented Unto me, that the people of this Territory are Suffering under the perpetration of High Crimes and Misdemeanors as well as Civil injuries, of a very aggrevated Nature, by Persons unknown.— And Whereas there are, good and Sufficient Reasons to believe, that many of those Offences, Originate in the Indiscriminate Admission of Aliens, Amongst whom are Some of the most Abandoned of Characters— Be it known therefore, that I have thought proper to issue this my Proclamation, Ordering, and directing that no Foreigners be Admitted within this Territory, but by Passports duely Authenticated, under the Seal, and Signature, of the Supreme Authority whence they may come, or other Sufficient Credentials to Establish them of good Character— And that they Shall Report themselves immediately upon their Arrival in the Settled parts of this Territory, to Some one of the Conservators of the Peace, or Military Officers Commanding the Posts of the United States, that the Governour may be informed thereof without delay— And the said Conservators who have been heretofore Authorized by me to Administer the Oath of Allegiance to the United

States

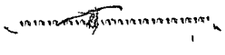
States are to make Report to the Governor of all Aliens within their respective Districts, Specifying their Names, Age place of Nativity, the Nation to which they belong and owe Allegiance, their Occupation, and the Arms and Ammunition of which they are Possessed.

Given under my hand and the Public Seal at Natchez this twentyth day of March in the Year of Lord One Thousand Seven Hundred and Ninetynine, and of the Independence of the United States of America the Twenty third.

(Signed) Winthrop Sargent.

By his Excellency's Command,

John Steele Secretary.



V80

1799 His Excellency the Governour having thought
Mar. proper to write the following Letter, partly pri-
vate and partly Official it is entered in the
Journal Accordingly—

Natchez 25th of March 99

Dear Sir

I received yesterday from his Excellency Gover-
nour Gayoso the "Moniteur de la Louisiane" N.9
Containing a Copy of a Provisional Convention
Between your Your Excellency and the Governor
Signed by your Brigade Major Lovell. Said to be
"empowered to make your Signature" and which
I have read with an equal degree of pain and Asto-
nishment, from an Apprehension that I may directly
or indirectly be implicated on the Measure.
It certainly is very much my inclination as
well as duty to afford every Aid I can to the good
Order and Efficiency of the Military. And to
this End to prevent as far as is Constitutionally
in my Power the desertions from the Army
der your Command— It was therefore that
I issued my Proclamation bearing date
the 20th instant which is founded upon
a Law of the Territory, Requesting at the same
time your Excellencys Support; which I had
persuaded myself would have been afforded
by establishing Guards at the Avenues to
this Government to prevent the Admission
of

of Aliens not provided with due Testimonials and by producing an equal Caution in the Province of Louisiane effectually fulfilled the intention of the Legislature, as it related to the Army.— for it can not be supposed that Deserters will ever bear Passports from Authority here or any Sufficient Credentials of good Character —— In a Letter bearing date the 3d of January (upon your Excellency's Representation of the alarming prevailance of Desertion) I empowered you to assure Governor Gayoso that I would prohibit the Inhabitants of Louisiane from entering this Territory, but by his permission, Conditioned that he remedied the evil Complained of— The Proclamation is Substantially a performance on my part— and 'tis better for 'tis Sanctioned by Law— No other Authority is emanant from me, and I should assure you My Dear Sir, feel myself very Reprehensible did I not declare to you that the "Provisional Convention" which Mr. Lovell must have inadvertently entered into is not only Contrary to a Statute of this Territory, but Unconstitutional— And that I feel it my duty to make Testimony against it— if it was true that a Military Officer had the Power to arrest and Convey beyond the Limits of the Territorial Jurisdiction any man upon any pretence whatever (not Voluntarily submitting himself to such Authority) then would our Government become

ofentially

1799
Mar.

essentially Military— And that Speech is now
Situation has gone abroad to the World by the
Publication before mentioned— it remains to
be Contradicted and my Private feelings
in perfect Unison with my Duties to your
Public Character to make the communi
agreable as possible to yourself— I enclose
you a Copy of the Law upon which my
Proclamation was founded.

I have the honour to be with very
respectfull Consideration,
My Dear Sir,

Your Obedient humble Servant,

(Signed) Winthrop Sargent

General James Wilkinson.

Dear Sir

I wish you with the Assistance of Mr.
Walker to have the Blanks of the within
Proclamation filled and afterwards published
when you Shall have Countersigned the
Same— it is unnecessary to tell you it must
be a matter of Record— As Judge Tilton is
in the House with you, I will ask the favour
of your Requainting him, that the Seals for
the divisions of the Territory will be inscribed
ded County Seals which must induce a

Conformity

Conformity in the Acts of the Territory — I
we have not proceeded so far as to Cause any
great inconvenience to Mr. Walker or the Printer
I wish the Judge or yourself to give the Necessa
ry information to them.

With much esteem,
Dear Sir
yours &c.

Signed Win Throp Sargent

Col. Steele Secretary, Mississippi Territory

By Winthrop Sargent Governour of the Mississippi
Territory.

A Proclamation

L.S.

It having been represented unto me that Some
Persons unknown did upon the 24th. instant
at or near the house of a Mr. Swezy in the Vici
ty of the Town of Natchez, and <u>again</u> in the
said Town upon the 20th. Instant at the house
of Patrick Connelly Violently Assault Some Choc
taw Indians — Beating, Maiming; and Wound-
ing them, in so cruel and Barbarous a man-
ner, that death will probably ensue — AND where
as such aggressions so disgraceful to a Civilized
People and Repugnant to the Statutes of this Terri
tory <u>not only</u> as they may involve the innocent
with the guilty in the fatal and dreadful Con-

Sequences

1799
Mar.

sequences of that Spirit of Retaliation &
by marking the Character of the Red people
as outrages upon all Government and the
of Society. Demand from the Constituted
thority's of this Territory the most Energetic
sures for their Punishment and Suppress
I have thought proper to issue this my Proclam
tion requiring from all Civil and Military
Officers, and good Citizens within this Territo
(According to their respective duties) every
sible exertion to apprehend and bring to
Justice the Authors and perpetrators thereof

Given under my hand and the Pub
lic Seal at Natchez the Thirty'th
day of March in the year of our Lord
One Thousand Seven Hundred and
Ninety nine and of the Independen
of the United States of America the
Twenty third

(Signed)
Winthrop Sargent
By His Excellencys Command
John Steele Secretary

Mississippi Territory 28th of March
1799

The Governour presents his Compliments
to Mr. Vidal, Requests he would favour him
with

with an Account or information of the Nu[illegible]
Tenements and Lands Ceded and delivered up
by the Spanish Government to the United Stat[illegible]
as belonging to the Crown of Spain, Specially
distinguishing Such as appertained to Forts and
Fortresses, and any Lots or Tracts of Land Con=
tested with his Government (or ours as their
Successors) by Individuals, together with the
grounds of Contest, So far as he may be Ac=
quainted therewith — Mr. Vidal will undoub=
tedly Receive this Request as Relating only to the
Mississippi Territory.

The following Private Letter written by his Excel=
lency the Governour was deemed necessary to be en=
tered on the Journal, and is entered Accordingly

Natchez March 29th 1799.

Dear Sir,

I have been honoured with your favour of the 25th
by Mr. McIntosh — And with your Resolves to
mine of that date I write Governor Gayoso
and enclose the Proclamation which I conceive
il encumbent upon me to do.
It is the Opinion of the Judges that we can not
make further or better provision to prevent de=
sertion than in the Law Concerning Aliens
which I have transmitted you — And that
the Carrying into effect the Convention of Mr.
Lovell with Governor Gayoso would Constrain
their official Notice, though I am sure you will

not

1799

Mar.

not doubt their very Laudable desire to pre-
vent desertion by all Lawful Means.
I view it practicable as I have before informed
you to Stop the Spanish Deserters at the
line but there Seems to me a very Materia
Difference between Such a Rule of Conduct
that Apprehending them after they Shall be
within the Territory by a Military Officer in
manner as is provided by the "Convention"
In the Law which we have Published deserte
you will observe are not Specially named
though they are included in the Prohibition
and my Reason therefor (I have not yet had
the opportunity of Consulting Vattel) I was that
it might be deemed an Assumption of
Power properly National.
I am Sure I need not Repeat to you that
if there yet Remains any thing on my part
to be Constitutionally done in the Premises
or for Public Service that you may Com-
mand me. For my inclination and Duty
for Execution perfectly Accord.

I am my Dear Sir

Affectionately yours

(Signed) Wm Thos Sargent

1799
Sept--

By Winthrop Sargent Governour of the Mispisippi Territory.

To all persons who Shall See these presents. Greeting

Whereas it has been directed by the Sovereign Authority of the United States that for the due Execution of Process Civil and Criminal within this Territory, the Governour Shall make proper Divisions thereof, and proceed from time to time as Circumstances Require to Lay out the Same into Counties and Townships— Subject to future alteration as may be directed— And it appearing to me Necessary for the purposes above mentioned that two Counties Should be erected and Laid out.— I do Ordain and order by these Letters made Patent. that all and Singular the Lands lying and being within the Boundaries of the Mispisippi Territory (as described in the third Section of the Law of the United States bearing date April the Seventh One Thousand Seven Hundred and Ninety eight for Establishing this Government) Should Constitute two Counties.— The division of which Shall be a line Commencing at the Mouth of Fairchilds Creek, and Running direct to the most Southern part of Ellicotts Ville— Thence Easterly along the dividing Ridge of the Waters of Coles, and Sandy Creeks.— So far as the present Settlements

extend

1799 - ap:

extend, and thence by a due East Line to the Territorial Boundary — The Southern or lower division of which is named and hereafter to be Called the County of Adams, and the Northern or upper Division, the County of Pickering.

AND I do further Ordain, that the County Courts which have been by Law Established shall be holden and kept therein, in the following Order Viz: For the County of Adams, in the Town of Nathez at Such place as shall hereafter be directed, the Court of General Quarter Sessions of the Peace upon the first Mondays of May, August, November, and February, yearly and every year, — The Court of Common Pleas upon the next Succeeding Wednesdays, in the Same Months also Yearly and every Year. — And that the Judge of Probate, Shall hold a Court of Probate in the Town of Natchez, upon the first Saturdays immediately following the times prescribed for the Court of Common Pleas, Yearly and every year.

For the County of Pickering and at the Villa Gayoso, the Court of General Quarter Sessions of the Peace Shall be holden upon the third Mondays of May, August, November, and February, Yearly and every year. — The Court of Common Pleas, at the Same place, and upon the Wednesdays immediately following the

in the months aforesaid, Yearly and every Year And the Judge of Probate, Shall hold a Probate Court also at the Villia Gayoso, upon the first Saturdays next ensuing the times prescribed for Sittings of the Court of Common Pleas, in each and every Year.——AND unto the Said Counties of Adams, and Pickering, are hereby granted all and Singular the Jurisdiction, Rights, Liberties Privileges and Immunities whatsoever to a County belonging and appertaining.— And which any other County that may hereafter be erected and laid off, Shall or ought to enjoy. Conformably to the Laws and Ordinances of the United States, and of this Territory.

In Witness whereof I have hereunto Set my hand, and caused the Public Seal to be affixed this Second day of April Anno Domini One Thousand Seven hundred and Ninetynine, And in the twenty third year of the Independence of the United States of America.

(Signed) Winthrop Sargent

By his Excellency's Command

John Steele Secretary

His Excellency the Governor having written the following private Letter directed that it be entered on the Journal.

The Grove Evening of Apl. the 3. 1799

Dear Sir,

I had flattered myself that merely bran-

1799
apr.

milling unto you the Extract from the Let
the Secretary of State, Commanding me to
take charge of the Public Buildings within
Mississippi Territory, (those of the Forts excepted)
would have induced your Order for their imm
diate Surrender, without a more formal
plication.—Immediately upon your Arrival
this part of the Territory, I took leave to State
you, that they were in my Opinion very impro
withheld by the Military.—That they were nec
to the Civil Government in this Country, and
that I conceived myself the proper Guardian
of all Public Property not Absolutely appertain
ing to the Fortresses, and if I mistake not, Requir
ed instead of demanding Such as had been placed
under your Order of this discription—With y
Assurances of a perfect disposition to Accom
modate the Civil Authority with the Buildin
which are the Subject of this present Address
but that you "dared not" so dispose of them
I have rested Satisfied until the Receipt of the
Order of the Secretary of State in which it ap
pears he had the Concurrence of the Minister
of War—Your declaration that so soon as the
Occasion Should Cease for detaining the Pu
lic Buildings at Natchez for the Accommo
dation of Captain Sith and Doctor Fi you
will deliver them up would be enough for
one but that I am under the Necessity of Appl
[illegible]

feating them to Civil Purposes. without delay—
Provided I may obtain them, I am not Captious
about nonessentials, and merely as it respects my-
self 'tis immaterial whether they be delivered as a
matter of Curtesy or of right. and Shall not, I
Assure you Attempt any Coercive Measures to
Obtain them— I Shall not even permit it to be
promulgated in this Territory that a demand
has been ever made and Refused— The Consequen-
ces of Such Report by inducing the Belief of oppo-
sition to the Civil Authority might in this dis-
tant part of the Union be very pernicious— I
Shall enclose an Official Demand and there rest
the matter fondly hoping your Compliance, and
whether or not that you will believe me Actuated by
a Sense of duty, and that I am at all times keen-
ly disposed to afford all the Convenience and Accom-
modation to the Military in my Power.

Mrs. Sargent Joins me in respectful Regards
to Mrs. Wilkinson and yourself. I am,

My Dear Sir

with very Sincere esteem
yours.

Signed. Winthrop Sargent

P.S. I do not feel myself Authorized to Request
your detention of Persons leaving this Territo-
ry without my Passports, Such Request has
escaped my memory— It once I think have
been made upon Some very Special Occasion

General James Wilkinson.

182

1799
apl.

Natchez April 3d 1799

Sir

In Consquence of the Receipt of yours of the 27
Receceved this day, 'tis encumbent upon me off
ally to Address to you the following Extract of a
Letter from the Secretary of State.

" The Public Buildings, (those of the Fort excepte
" within the Mississippi Territory ought to be u
" the hands, and under the Care of the Governm
"—You will take charge of them Accordingly.
" If necessity or Convenience at any time should
" render it proper to apply them to the Use of the
" Military, the application for them must be
" the Governour, — the Secretary of War ought
" Concurr with one in this matter."

Signed. "Timothy Pickering"

From the foregoing I have to ask Sir, that you would
be pleased to direct the Public Buildings of the Secre
tary's discription which are in the Town of Natch
to be Surrendered to one — Proposing that the Court
of Justice Should Sit in the Town, early in May
and having Occasion for Offices, for the Secretary
this Territory and myself I have to Solicit your
immediate attention to this Request.

I have to assure you of my perfect disposition to a
ford every Convenience in my Power to the Milita
upon all Occasions.

I have the honour to be with most Respectfull
Consideration

Your Obedient humble Servant

Signed Winthrop Sargent

General James Wilkinson

Mississippi Territory.

By Winthrop Sergent Governour of the Mississippi Territory.

To all who shall See these presents,—Greeting.

Know Ye, that I have by these Letters made Patent appointed and Comonissioned as Justices of the Common Pleas in the County of Adams, Daniel Clark, Bernard Lintot, Thomas Burling, John Ellis, Thomas Wilkinson, Abner Green, George Fitzgerald, and John Collins Esquires And do Authorize and Empower them, or any three of them, to hold and keep a Court of Record in the Said County to be Styled agreeably to the Law in Such case made and provided, "The Court of Common Pleas of the "County of Adams", And therein to hold Pleas of Assize Scire Facias, Replevins, and hear and determine all manner of Pleas, Actions, Suits and Causes of a Civil Nature, Real Personal and Mixed, According to the Constitution and Laws of the Territory.

In Testimony whereof, I have Caused the Public Seal to be hereunto affixed— And Undersigned my Name. Dated at Natchez Territory aforesaid, this fifth day of April, Anno Domini One Thousand Seven hundred and Ninetynine, and of the Independence of the United States of America, the Twenty Third.

(Signed) Winthrop Sergent.

By His Excellency's Command,

John Steele Secretary.

184

1799

apl 5

His Excellency the Governor was pleased to a
Point Bernard Pintot Esquire Treasurer for the C
ty of Adams, — To whom he Granted a Commi
in the Words following Viz.

By His Excellency

Winthrop Sargent Esquire
Governor and Commander in Chief of the
Mississippi Territory,

To all unto whom these Presents shall come. — Greeting

Know Ye, that I have Constituted and appoin
Do do by these Presents Constitute and appo
Bernard Pintot Esquire to be Treasurer in the Coun
of Adams, and do hereby Authorize and empow
him, to do and perform all and whatsoever to the
Office and Duty of a Treasurer in the said Coun
doth any ways belong or appertain.
In Testimony whereof I have caused the Public Seal
to be hereunto affixed. Witness
Winthrop Sargent Esquire,
Governour and Comander in Chief.

Dated in the Territory the fifth day of Ap
Annoque Domini, One thousand Seven
Hundred and Ninety nine, in the twenty th
year of the Independence of the United
States of America.

By His Excellencys Command,

John Steele Secretary.

His Excellency the Governour was pleased to appoint William Bunbar Esquire Judge of Probate, Lewis Evans Esquire Sheriff, Melling Wooley Esquire Coroner, Peter Walker Esquire Clerk to the Court of General Quarter Sessions, and Prothonotary to the Court of Common Pleas, and John Henderson Esquire Recorder for the County of Adams, to each of whom he Granted Commissions respectively in the general words of the foregoing Commission of Treasurer to Bernard Lintot Esquire.

Mutatis Mutandus and dated the fifth day of April in the Year One Thousand Seven hundred and Ninetynine

---

His Excellency the Governor was pleased to appoint Justices of the Peace, and of the Quorum for the County of Adams, to whom he Granted a Commission in the words following Viz. ———

Mississippi Territory.

By His Excellency,

Winthrop Sargent Esquire

Governour and Commander in Chief of the Militia of the Mississippi Territory within the United States of America.

To all unto whom these presents shall come Greeting.

Know Ye, that I have Authorized and empowered Daniel Clark, William Bunbar, John Ellis, James

M.c Sintosh

1799

apl

Mc. Intosh, Thomas Wilkins, and Abraham Ellis
Justices of the Peace in the County of Adams, to
and keep a Court of Record in and for the said
County. To be named and Styled agreeably to Law
"The Court of General Quarter Sessions of the Pe
and therein to Enquire by the Oaths of good and
Lawful men of the Said County by whom the
may be better known, of all and all manner of
Theffts, Trespasses, Riots, Routs, and unlawful A
semblies wh-atsoever, and all and Singular other
misdeeds and Offences of which by Law Justices
the Peace in their General Sessions may and ou
to Enquire, by whomsoever, and howsoever done or pe
trated, or which Shall hereafter happen howsoever
be done or Attempted in the County aforesaid, C
trary to the form of the Ordinances and the Acts o
Congress, and of the Laws and Ordinances that now
are or hereafter Shall be made for the Common go
And to hear and determine all and Singular the Sa
Theffts, Trespasses, Riots, Routs, Unlawful Assemblies, a
all and Singular other the Premises, and to do therein
what to Justice appertaineth According to the Laws and
Ordinances aforesaid.

In Testimony whereof I have caused the Se
Seal to be hereunto affixed, and Undersigned
my name, Dated at Natchez Territory afo
said this Sixth day of April Annoque Dom
One Thousand Seven hundred and Ninety
And of the Independence of the United State
of America the twenty third.

Signed Winthrop Sargent

By His Excellencys Command

John Steele Secret

His Excellency the Governor was pleased to appoint Philander Smith, Joshua Howard, John Collins, Charles Boundman, Robert Dunbar, William Vousdan, and Hugh Davis Esquires, Justices of the Peace, to each of whom he Granted a Commission in the words following Mutatis Mutandus. Viz.

By His Excellency.

Winthrop Sergent Esquire.

Governour and Commander in Chief of the Militia of the Mississippi Territory within the United States of America.

To all unto whom these presents shall come—Greeting

Know Ye, that I have assigned and Constituted, and do by these presents Constitute and appoint, (Philander Smith) Esquire) to be One of the Justices to keep the peace in the County of Adams, and Territory aforesaid, And to keep and Cause to be Kept the Laws and Ordinances, made for the Good of the peace and for the Conservation of the Same, and for the quiet, Rule and Government of the Citizens and Subjects in the said County, in all and every the Articles thereof, according to the force, form and effect of the Same, and to Chastise and Punish all persons, offending against the form of those Laws, and Ordinances or any of them in the County aforesaid, as According to the form of those Laws and Ordinances shall best be fit to be done; and to Cause to come before him the said

(Philander

1799

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(Philander Smith) Esquire all those that Shall break the peace, or attempt any thing against the Same, or Shall threaten any of the Citizens and Subjects in the Persons, or in burning their houses. to find Sufficient Security for the peace, and for the good behaveour towards the Citizens and Subjects of the Government: and if they Shall Refuse to find Security, then to Cause them to be kept Safe in Prison until they Shall find the Same; and to do and perform in the County aforesaid all and whatsoever according to the Laws and Ordinances, or any of them, a Justice of the Peace may and ought to do and perform; And with other Justices of the peace in Same County (According to the Tenor of the Commission to them granted) to enquire by the Oaths of good and Lawful men of the Said County, by whom the truth may be better known, of all and all manner of Trespasses, Riots, Routs, and Unlawful Assemblies Whatsoever, and all and Singular other misdeeds and Offences, of which by Law Justices of the peace in their General Quarter Sessions may and ought to Enquire, by whomsoever or howsoever done or perpetrated or which Shall hereafter happen, howsoever to be done or attempted in the County aforesaid, Contrary to the form of the Laws and Ordinances aforesaid, and for the Common good of the Citizens and Subjects: And with others Justices of the Peace in the Same County (according to the Tenor of the Commission to them Granted) as aforesaid to hear and determine all and Singular the Said Thefts, Trespasses, Riots, Routs, Lawful

lawful Assemblies, and all and Singular other the Premises, and to do therein as to Justice aforesaid shall appertain according to the Laws, Statutes, and Ordinances aforesaid.

In Testimony whereof, I have caused the Public Seal to be hereunto affixed. Witness,

Winthrop Sargent Esquire,

The Governour and Commander in Chief.

Dated at Natchez in the said Territory the fifth day of April, Anno Domini, One thousand Seven hundred and Ninety nine, and in the twenty third year of the Independence of the United States of America.

L. S.

By His Excellencys Command,

John Steele Secretary.

His Excellency the Governor was pleased to appointed William Williams Gentleman Keeper of the Seal for this Territory, and Granted to him a Commission for the Same, in the general Words of the Commission "Granted to Bernard Lintot Esquire Treasurer" Mutatus Mutandus and dated the fifth day of April in the Year One Thousand Seven Hundred and Ninety nine, and of the Independence of the United States of America the twenty third.

140

1799

The Grove Feby. 23d. 1799.

Sir,

I have this moment received your Notice of your intended Evacuation of the Buildings at the Villa Gayoso upon the Morrow morning, and that there had been an Indulgence of more time I have enabled me to have possessed them for the United States — If you should not leave Natchez previous to Tuesday upon this Business, I may find it in my Power to make the Suitable Arrangements

I am &c &c.

(Signed) Winthrop Sargent

Captain — Heth.

The Grove near Natchez
February 23d. 1799

Sir

General Wilkinson has this day Signified to me his intention of immediately withdrawing the Troops heretofore Stationed at the Public Buildings, in the Villa Gayoso, and delivering them over unto my Requisition — I have therefore to Request you would be pleased to receive them from Captain Heth or any other person Authorized to make the delivery — To close the doors and Windows and Publish this my Letter or a Copy thereof when the Church as information unto all whom it may Concern that they are to be Considered as the property of the United States, unless it may hereafter be otherwise Ordained — That no waste

waste or injury of the Same, or an attempt to either of the Buildings without my Sanction permission, will be Considered as a public Wrong. At this Same time do, I authorize you to suffer for the present any person of good Character to occupy either of the dwelling houses in the Village Provided he will be responsible for the safe keeping of the whole.

I am &c.

(Signed) Winthrop Sargent

William Ferguson Esqr. Northern District.

Sir, Natchez April 15th 1799

I enclose you the Translation of Figuroa to Captain Peter Marigny obtained by my request for permission from the Executive in Such Case is inadmissible under the American Government: The 22d Article of the Treaty between the United States and Spain, provides ample Remedy for the Captain at our Tribunals and I will at all times take great pleasure by my Council or otherwise in Aiding every application of your Excellency's. So far as I can in honour —I have Necessarily delayed this, to obtain the translation of yours which I am not fully Satisfied is Correct for in the Decree it is "Requires" in the name of his Catholic Majesty that Figuroa "be notified to" and being in effect a Command cannot operate in any of the Dominions of the United States; In this Territory, I Sir though perfectly disposed to Continue the good disposition of Spain to my Country by every Act of Accommo-

dation

1799 dation in my Power, & shall never the less use my
ap Bound fully maintain &c &c &c their Sovereign
I am disposed to believe that in the original con-
lation there may have been some mistake and
therefore and upon your Excellencys Request
have enclosed the Answer of Figueroa.
I had intended to have transmitted unto your
Excellency my Proclamation to prevent the Admis-
on of Foreigners of Certain Character within
Territory, but waited the Publication or Print
of the Law, upon which the same is founded
company &c; General Wilkinson informs me he
has already offered it to your Excellency and I
persuade myself that amongst other good effe
it will be found sufficient to prevent desertion
from our Armies, which must be mutually Benef
With Respect I have the honour to be
&c &c
(Signed) Wm Thos Sargent
Governour Gayoso.

Natchez April 7th 1799

Dear Sir

This morning I had the honour to receive your
Public and Private Letters of the 9th and 10th Instant
from which it appears that the Secretary's of State and
War do not Concur in Sentiment with Regard
to the disposal of the Public Buildings in
this Country, the Assurances of the former to me
Notwithstanding. —

I

I can not Conceive however that an Order, for ap-
cation to a Civil Office for the use of such Build
for the Military when their Necessity or Convenience
might make the Same proper will Justify the forc
bly withholding them, more especially as the Conse-
quent probable Expence to the United States will ex-
ceed any Sum Necessary to the Suitable and Custom
ary Accommodation for the Occupying Officer.

I presume not however Sir, to Construe for you, I
have done my Duty, save Reporting our Correspon-
dence upon this Subject, to the proper Department
and According to Law;— Arises out of your Peti
application however for me to add, that I believe it
very Essential to the Public good to Continue a Small
Garrison at Natchez; and as my hopes ing the Build-
ings here must depend altogether upon your with-
drawing the Troops I shall endeavour (timely if possible)
to make other Provision, for Civil purposes without
troubling you more.

You will Excuse I hope my further Adding, that I am
informed the house Occupied by Captain Dick, and
Doctor Price Requires immediate attention to prevent
its falling and that there are by a Return of the Publ
Buildings which has been handed to one a greater Num
ber at Natchez than by your Letter you appear to kno
of.

I am with much esteem and Respectful
Consideration yours.

Signed Winthrop Sargent

P.S. I am joined by Mrs. Sargent in Acknowledgem

1799 apr.

of the kind Remembrance of Mrs. Wilkinson and self, and we Repeat the Assurance of our very sincere gards, and Continued wishes for your health and ness— To Whose care which give me leave to advise very early Removal from the Cliffs— With the Subsi of the Waters will Certainly Commence Dickness

General James Wilkinson.

Mississippi Territory April 20

1799

Sir

Upon the 24th. Ult I had the honour to ac knowledge in a Private Letter - and by a very Uncertain Conveyance your Public and Private Let of December the 10th, Received upon that date; du which to this time, no Conveyance has offered for Philadelphia, I embrace now the Opportunity Sir, notice all the Subjects of your Public Letter— in the first place it is Proper I should Observe whom the Spanish Consul and that such Office ought be made use of to the more read Obtaining that Justice which it is provided by Treaty, the Spaniards may Obtain at our Tri bunals Generally, and for the Expeditious Rec of Fugitive Slaves as well as in Common Civil Suits duties arising out of the Commercial in course with Louisiana and this Territory wh

with the Expensive Companions of
Upon the upper Mississippi brings to our
Boats in no inconsiderable Number and among
the Crews disputes Sometimes arise perhaps
properly the Province of Consuler Decision—
With Regard to Continuing the Mail from this Co
try from Nashville as far as I have been able to in=
form myself it will Cost Thirteen hundred Dollars
per Year to Receive the Same Monthly—The way
proposed at present would be from Natchez throu
the Nockseby a Choctaw Town and the Residenc
of Mitchell the Indian Agent, to Nashville a distan
of about Six hundred miles—'Tis much the Same
Distance by the Big Town of the Chickasaws—By the
Tellico Blockhouse or Knoxville there would perhaps
be but Little difference and the way most Certain
at present on Account of Obtaining Boats from the
White People or Indians to pass the Tennessee—It
is generally believed, that the Road would be shorte
ned and Communication facilitated by marking
the Same directly between the Grasons and Pearl
Rivers to the Chickasaw Big Town so as to avoid
the Choctaws altogether—Which marking however
would be Expensive—And the Way forward from
Big Town To Tellico Blockhouse or Knoxville
through a part of the Cherokee Country—of Course
their Consent must be had thereto.—Perhaps however
the most Certain and least expensive Way of tran
sporting the Mail, would be by paying an Agent
with

1799 Ap-

with the Chickasaws beyond the Big Town and
near the Tennessee — To Carry the Same from Nat
to the said Agent monthly by Contract and to
the Indians thence to Nashville, Tellico Blockho
or Knoxville — We want an Agent with the Ch
asaws; Mitchell whom I think ill of, and who w
appointed by Colo. Hawkins has declined it an
the great Path to the Settlements, leads thro
the Chickasaw Nation — A Mr. Stuart come
forward for the appointment; I employed hi
to Reside Coy in the Nation and Journal him tru
He believes the Office may be Supported altog
from the Emoluments of a Ferry over the Tennes
if it might be granted him — It will perhaps be
worthy Sir to Establish it — provided the India
Shall not Object; The Same however Resting with the
General Government I request your Instructi
thereupon — as also some general Rule for his
gulation, if it may be Deemed to — He has Ju
ment enough to Employ in discretion Runners w
the Mail from Tennessee — to Tellico Blockho
or Knoxville.

The Public Buildings not annexed to the Sout
ds within this Territory have in Consequence of
Order bearing date the 10th. of December been d
manded and Disposed, those at the Villa Gayos
excepted which were previously Abandoned u
the Principle of being an encumbrance to the

Militia

Military as I had the honour of informing you
the 13th. Ult Requesting at the Same time an
Order from Government for their Disposition
To Obtain the Buildings at Natchez which were ne
cessary as Offices for Col.o Steele and myself and
for other Public Purposes, as formerly Stated, I now
ly enclosed the Extract in Point Relieving from
the footing upon which General Wilkinson had put
their detention and the desire he had Proposed
to Accommodate the Civil Authority (and which
I have also before Stated to you in his own words)
would have been enough But I received for Answer
that the Buildings at Natchez were Necessary for
the Accommodation of the Commanding Officer, and
to Save Expence to the Public — The General hoped the
Occasion ought not long Continue, and then he
would with much pleasure order the Same to be
delivered up — the Demand therefor however being very
urgent and Conceiving myself Specially ordered to take
Possession of them I again transmitted the Extract from
your Letter Relative thereto formally and in the same
manner demanded them, But observing that I should
not believe any Coercive measure Proper, for me
on the Occasion, and that I rested the Issue upo
the then Application, fondly hoping his Compliance
and that he would believe me Actuated by a Sense of
Duty and Public Service — That I had every
disposition to Accommodate the Military to the
Utmost of my Power, and in Case he Should
Refuse my Repeated Requests that I would take
great

1799 great care to prevent the Same from going abr
lost by its being Construed into an Opposition
Civil Authority it might produce very serious
Consequences in this distant part of the Union.
The Genial Thereupon transmitted me an Extra
from a Letter of the Secretary at War (without d
and as follows, Viz -

" To Revert back to a Point I had Omitted, the
"Public Buildings delivered up by the Span
"to our Military I have to observe that it w
"be very proper, Should Government Sign
"and Occasion for the use of any of them for
"the purposes of his Government, as for a
"house Public Office &c, to Accommodate hi
"with Such as are most Suitable, provided
"doing So will not deprive the Troops of th
"any Accommodation, or the Public prop
"of Secure Deposit."

And Concludes it is not in his Power at this ti
to Accommodate me, without a Breach of his o

So rests this matter at present for I have adver
him that I believe myself to have discharged the
of my duty, I have the Honour the Result to the Se
Tary of State — My Letters to the General upon
this Occasion will appear in the order of date by
Colonel Steeles Communications, but as those wo
be Necessarily delayed I have believed it essential
notice you of my Proceedings in this way, and
the Same time it perhaps may not be amiss
Advertize you that I have borne Strong Testim
to General Wilkinson against the Spanish and m

of the matter of a Convention between him and Gov-
nor Gayoso published in the enclosed Louisiana Mo-
Tiew—

The only Authority Emanating from me to Such
Convention was an Assurance to the General of ipsum
a Proclamation to Prohibit the Admission of Foreign-
ers without passports Conditioned that Governor
Gayoso Should take Measures to prevent desertion
which was then it Seems so very Alarming as to me-
nace the Total Annihilation of the Army and to Au-
thorize... Which the Judges had given me Assurance
of full Concurrence.

Governor Gayoso who furnished me with the Convention
has in Return Received my Proclamation without more Ob-
servation than that the Same was Predicated upon Law.
For General Wilkinson who has declared into me a disap-
probation of the Style of the Convention and that no
measures under his Authority Shall be taken to Contravene
the Laws of his Country was apprehensive that in any
discussion of the Subject the Governor might be Re-
leased from Obligations Only Advantageous to the
United States — Perhaps in true Republican Spirit
and Caution to prevent all military Encroachment
I ought to have come forward with a Public declaration
against the Convention, but if I am guilty of evil by the
Omission it is that good may Come of it — And in all my
Letters to the General upon this Occasion which will appear
upon the Journal you will find I trust that I have been
enough Zealous and Wary.

Since my last Six Shaw Choctaw Indians in and

near

1799

neae Natchez have been almost murdered in a D... affray, but were taken into my own house and w... Extraordinary care and attention have been cured a... Sent home Contented — During their Confinement ... were menaced from their Kindred with the Legislatu... to prevent Such Mischief in future we have pro... ed by Law their receiving intoxicating Liquors, but ... Permission of the Superintendent.

I am informed that General Wilkinson is Comma... ed to the Seat of Government — All my Observa... therefore Relative to Military interference in the Indi... Department and the disagreeable effects to be apprehen... in a Co operation with the Regular Troops and Milit... will now more Strongly apply and demand Explana... tion and Order — To be Convinced of this it is only Ne... sary to be informed of the immediately Succeeding ... Offices — I believe I have omitted to inform you Sir ... that it has been the Generals Practice to receive from ... Indian Chiefs of the Choctaw Nation heretofore ... attached to Chain their Certificates or Commiss... Replacing them with his own, — This I have alway... Conceived a kind of Usurpation of the Superin... tendents Duties — Such Certificates however un... National Order with Device as might be directed ... would be gratifying to the Indians and have a good ... effect — The Spaniards had a very handsome Copper ... Plate Engraving for Such purposes highly Ornamented ... with Trophies of War &c &c — But I would take the ... humbly to Recommend as the most Striking figure ... (For Such matters are fully understood by Red Men

those implements of Husbandry which we now fa-
miliarly and with best Policy are introducing
amongst them, and which from the Example of the
Creeks, they will I flatter myself be long be induc-
ced to Seek with avidity.
The County Courts were to have been called into
being upon the first Monday of May, but the
Detention of the Public Buildings and some o-
ther Causes, will delay a little their Sessions.—
County Seals not yet Received, but the Law of the
United States Under President Washingtons Admi-
nistration have come to hand.
In a former Letter I did you Obligingly Apprised me
that One of the Several Gazettes published in Phila-
delphia, Should be transmitted to me from your Offi-
Such would not only be gratifying but highly useful —
We Seldom Receive them within the Territory their
punctual Conveyance can not be depended on General
Wilkinson who alone has them Regularly from the War
Office is too Remote to indulge me with their Perusa
—Any Dispatches for me by being sent to the War Offi
might Come on to Pittsburgh and thence receive
facility in their Conveyance to Cincinnati and
So on to this Territory
I have the honour to be
Sir
With highest Respect
your most Obedient Servant
(Signed) Winthrop Sargent
The Honorable Secretary of State—

432

1799

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By the Governor of the Mississippi Territo

A Proclamation

To all persons who shall see these presents

Be it known that for good and Sufficient Re
sons I have thought fit to Ordain, that the
terms for the Sessions of the Courts of G
ral Quarter Sessions of the Peace, Co
mon Pleas, and Probate, in the Counties of Ada
and Pickering which were heretofore Ordered for the
ensuing Month of May be Postponed to June next
following, And that they be then held at the places
and upon the Same Relative days in the Said month
of June, and in the Order as was prescribed by
Proclamation bearing date April the Second of the
Present Year — And ever afterwards as has been
therein directed.

Given under my hand and the Public Seal
at the Grove near Natchez, Territory aforesa
this twenty seventh day of April Anno. Dom
1799 - And of the Independence of the United
States of America the Twenty third.

(Signed) Winthrop Sargent

By His Excellency's Command

John Steele Secretary

His Excellency the Governor was pleased to
Joint Roger Dixon, Richard Harrison, William
Thomas, Samuel Gibson, George Wilson Hum
phreys, and Jobias Brashear Esquires, "Justice
of the Common Pleas" in the County of Pickering
to whom he Granted a Commission in the Gener
Words of the Commission Granted to Daniel Clark
and Others, "Justices of the Common Pleas for the Cou
ty of Adams" and dated the Seigth of May 1799.—

His Excellency was also pleased to appoint, Roger
Dixon. Richard Harrison, William Thomas, Samuel
Gibson, George Wilson Humphreys, and Jobias Bra
shear Esquires, "Justices of the Peace in the County of
Pickering" to whom he Granted a Commission in
the General Words Mutatis Mutandes of the Commis
sion Granted to Daniel Clark esquire and Others "Jus
tices of the Peace for the County of Adams" and
dated the Seigth of May 1799 ——

He was also pleased to appoint Mordecai Thu
morton, and John Smith Esquires Justices of the
Peace for the County of Pickering, to each of whom
he Granted a Commission in the general words, Mutatis
Mutandes of the Commission Granted by him to
Philander Smith Esquire and Others "Justices of the
Peace for the County of Adams", and dated the
Seigth of May 1799 ——

He was also pleased to appoint Thomas Green
Esquire

1799
May

Treasurer, William Ferguson Esquire Sheriff Green Esquire Coroner, John Gerault Esquire Clerk of Probate, Prothonotary to the Court of Common Pleas, Clerk to the Court of General Quarter Sessions, and Register in the County of Pickering, to each of whom he Granted a Commission (According to their Several Appointments in the General words (Mutatis Mutandus) of the Commission Granted by him to "Bernard Lintot Esquire Treasurer for the County of Adams," and dated the Sixth of May 1799 —

The Grove near Natchez. May 20th 1799

The Sheriff of Pickering County is Requested to deliver over to the care of John Gerault Esquire all those Public Buildings at the Villa Gayoso, which were placed in his Charge by the Military at the time of withdrawing the Guards.

Signed. Wm Thos Surgeon

The Grove Evening of the 23d. of May

Mississippi Territory.

Sir

It has afforded me Singular Satisfaction that in your Legislative Functions during so long a

Session there has been such general coincidence of [illegible]
ment — But I have very much to regret, that your Opposition
to the Proposed Law for Regulating the Admission of Attor
in the propriety of which Judge Bowen Wiles with myself
must depricate us of due provision and leave the matter so
loose as may produce much evil in the Practice of the
inferior Courts.

The Ordinance for the Government of this Territory, to my
mind, by Strong implication at least, Vests the Power of
Authorizing Attornies with the Governour Though they
Shall not be intended of Commission — To the Judges I am
perfectly willing, as my draught of the Bill Shews to give
the test of Necessary Legal Abilities, but of their Sufficient
Reputation to be admitted to the Courts, I believe myself
equally well qualified with your honour to determine —
And the Safety of this Country being Specially under
my Charge, I employ more than the common means of
other Territorial Officers to make myself Acquainted
with the disposition of all men within this Government
which (Capacity for Judging being Admitted equal)
must give me an Advantage in this point over your honour
but granting however I may be wrong, as I can not sacri-
fice the Opinion of Judge Bowen, and myself upon this Oc-
casion, — As the evils Resulting from the Neglect to Regulate
the Admission of Attornies, may be many and great — and
when your Principles without any immediate Remedy
when you Shall have made your departure — And as the
Bill, if Passed into a Law must be laid before the Genera
Government

156
1799

Government to receive their disapprobation, if
patible with the intention of the Ordinance, no gre
inconveniences can attend the adopting it I have
therefore to Request your most Serious Reconsideration
of the Subject, and if in the Result you Shall st
persist in your determination to leave the Territo
without Such Provision in the Premises as we Un
mously believe to be essential— Unless Judge Mu
and myself may Sacrifice our Judgment to you
Opinion, I can only deprecate the evil Consequenc
which Shall ensue— Conscious of having perfo
the whole of my duty by my former Observations, an
this Special Application to your honour.

With very respectful Consideration,

I have the honour to be,

Sir,

your very humble Servant,

(Signed) Winthrop Sargent.

The Honourable Judge Tilton.

Mississippi Territory
Evening of the 26th. of May 1799

This Sir will be handed you by General Wilkinson who
will leave the Country on the morrow and who assures
one he will press upon Government the Seeming impor
tance of immediate attention to our Indian Affair
I had determined not again so immediately to
trou

fortune you upon this Subject but from his informati
of the Choctaws it is become my indispensible duty
they are it appears Soured in the extreme at the ina
attention of the United States, and their Poverty in
Arms and Ammunition the most restraining motives
from aggressions upon the White people — for a Case of
Some horses demanded from them (not by one) they hav
declared their determination Soon to Shoot and tak
them for food that make the Surrender, Observing
that their Country once affording abundance had becom
desolate by the hands of a People who knew them not
but to encreas their Wretchedness, and that they were
determined in future to Consider our Domestic Animal
as fit Objects for the Chace.

This indeed partially they have already done, and it
will not much longer be Suffered by the Planters, who
have been loud and Constant in their Complaints to
me Since my first arrival in the Country — But without
much effect, for knowing that very Liberal Assurances
had been made unto the Indians, by Mr. Ellicott and
Others and nothing performed together with the natural
inference and fondly Continuing my hope from time
to time that by extending the Bounty of the United
States a favourable opportunity would be presented
for the due impression and Stipulations I have de-
layed Representation and demand believing that the
Same would have made bad worse. —

Having Transmitted So many former Communi-
cations in Point this Small Addition I have no
doubt will be Considered enough, and produce
the Effects intended — if it Shall be deemed expedien

by

1799

by Government to take up the Matter at Fres
in case a Treaty be ordered and the direction
with the Governor, I shall have to request very
Explicit instruction and I take leave with all
ence to Suggest the Advantage of Annual Donat
ons even of very Considerable Aggregate Sum

I have the honour to be,
Sir,
With very respectful Consideratio

(Signed) Winthrop Sargent

The Honourable Secretary of State —

His Excellency the Governor was pleased to appo
Officers of the Militia in the County of Adams as
follows to wit —

Daniel Clark Esquire Lieutenant Colonel Com-
mandant —

Benajah Osmun Esquire Major of Cavalry —

Benjamin Farnes, Daniel Ferguson and George
Cochran Esquires, Captains of Cavalry —

William M.c Intosh, John Minor, and Hampton
White Gentlemen Lieutenants of Cavalry — An
John Linton, John Bingham and William
Scott Gentlemen Cornets.

John Ellis Esquire Major of Infantry —

Abram Ellis Philander Smith and John Coll
Esquires, Captains.

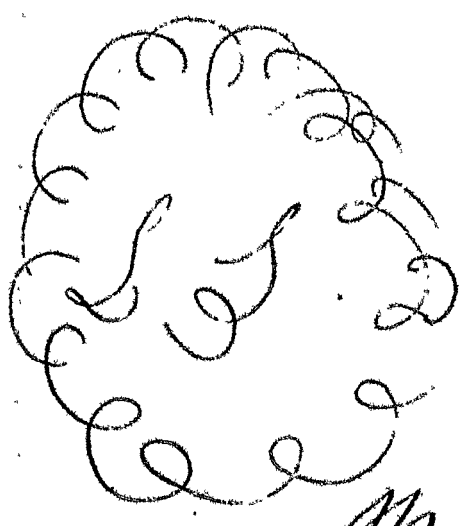
Simpson Holmes William Dunbar and Jon
Lo

Lovelace Gentlemen Lieutenants.
Nathaniel Hoggatt William Lewis and Joshua
Pannil Gentleman Ensigns.
James Elliot Gentleman Adjutant. and
Isse Greenfield Quarter Master—
To each of whom According to their Seveal grades
he Granted a Commission in the words following—
Mutatis Mutandees and dated the twenty fifth of
October 1799. except George Cochrans, which was
dated the 5th of May 1799—

United States
Mississippi Territory } By His Excellency.

Winthrop Sargent Esquire
Governour and Commander in Chief of the Militia of
the Mississippi Territory within the United States of
America.

To Daniel Clark Esquire Greeting



You being appointed Lieutenant
Colonel Commandant of the Militia
of the County of Adams.

By Virtue of the Powers vested in me I do
by these Presents Reposing Speceal trust and Con-
fidence; in your Loyalty, Courage, and good Conduct
Commission you Accordingly —— You are therefore
Carefully and deligently to discharge the duty of
Lieutenant Colonel Commandant, by leading and

1799
June 1

ing, and Exercising said Militia in Arms, ...
Officers and Soldiers; And to keep them in good ...
and Discipline— And they are hereby Commanded ...
Obey you as their Lieutenant Colonel Commandant ...
and you are Yourself to Observe and follow such ...
Orders and Instructions, as you shall from time ...
to time receive from ME or your Superior Officers ...

Given under my hand and the Seal of the said ...
Territory the twenty fifth day of October in the ...
Year of our Lord One Thousand Seven Hundred ...
and ninety eight, and of the Independence ...
of the United States of America the twenty ...

(Signed) Winthrop Sargent

By His Excellencys Command
John Steele Secretary

Militia Orders June the 1st. 1799.

By the Commander in Chief and for the County of Adams
With Lieutenant Colonel Commandant Clark, are ...
deposited the Military Commissions for the Counties ...
and agreeably to the enclosed List which the Officers ...
will be pleased to receive from him so soon as ...
may suit their Convenience— The Commandant ...
to Administer the Oath of Allegiance, and enter a ...
Certificate thereof upon the Back of the Commission ...

(Signed) Winthrop Sargent

Natchez June 3d 1799

Gentlemen

No person being as yet in Commission to Prosecute the Pleas of the United States and Territory, within this Government, I have to Request you would Ask of some of the Gentlemen who Shall be Admitted as attornies to attend to this Business in the Present term of the Court of General Quarter Sessions of the Peace Should Occasion Require it.

I am &c

(Signed) Winthrop Sargent

Honorable Justices of the Courts of General Quarter Sessions of the Peace. Counties of Adams & Pickering

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Winthrop Sargent, Governour of the Mississippi Territory, has thought proper to Authorize and Empower Roger Dixon Esquire to tender and Administer unto all and every of the Officers Civil and Military now or hereafter to be appointed in the County of Pickering the Several Oaths which are or may be required from them respectively and to receive from them Subscriptions thereto whenever the Laws of this Territory Shall render the Same Necessary.

In Testimony whereof he has Caused the Public Seal to be hereunto affixed this fourth day of June Anno Domini 1799. And Undersigned his name

(Signed) Winthrop Sargent

162

1799

June 13th 1799 Nat

Sir

I have this moment been honored with yr favour of the 9th instant, and have afforded Mr Marionda upon your Excellency's Recommendation the fullest gratification I could and which I trust may Answer his Wishes and Expectations. Mr Vidal may Calculate upon the Continuance of my best Offices for the Welfare of Individuals of your Nation — In Tendering Services to the Subjects of his Catholic Majesty I persuade myself I promote the intentions of my Government and am sure I need not Assure you that at the same time I very much gratify my own Inclinations.

News I have none and knowing your Excellency's important Avocations always but more especially just now I forbear to add more but the very best wishes of.

Sir

your very humble Servant

Signed Winthrop Sargent

His Excellency Governor Gayoso

June 23d 1799 Wellemont

Dear Sir

I have been honored with your favour of the 19th Inst this morning and to which I can but repeat my assurances of all Possible exertions to promote your Speedy attainment of the most Ample and

for the Indecency offered to your Character — You can
by Sir do not doubt my Disposition thereon. — I feel
due to your Rank and at the same time hopes all
the Ingredients of personal Regard and Esteem.
I am not very well at present — either on the morrow
or next day I hope to be in Town and to have the Plea
sure of seeing you — In the mean while I assure you
that upon a full Consideration of Craigs Conduct I
verily believe that a Virtuous Grand Jury would
most Certainly find a Bill against him. I enclose
you some very Valuable Pamphlets wishing you to
make them as Public as possible.

With Respectful Consideration I am

Sir

Your Obedient humble Servant

(Signed) Winthrop Sargent

Genl. Daniel Clark.

A transcript was made for transmission to the Secretary of State. And Authenticated in the words following Viz

I do Certify that the foregoing Pages from No. One to eighty five is a transcript taken from the Journal of "The Proceedings of the Governor in his Executive Department" from the first of January until the thirtieth of June 1799 inclusive.

In Testimony whereof I have hereunto set my hand and Seal as "Secretary in and for the Mississippi Territory" near Natchez in the County of Adams

Transcript was sent by Mr. Quinn, set out 13th. of Jan. 1799 Virginia

164

1799

Adams this Seyth day of September in the Ye
One Thousand Seven Hundred and Ninetynine.

John Steele

1799
July.

Bellemont Plantation
July 18th 1799 —

Sir

I had the honour to receive your favour of the 16th instant, covering the Copy of a Letter to Captain Collins, and the proposed General Militia Order for your Command, which perfectly accord with my Military Ideas of propriety and probably might be Acceptable to most of the Gentlemen in Commission; But as our experience teaches us this County is not wholly without insidious and wicked Cavillers — Men striving by all their Little means to thwart and embarrass the most useful Arrangements of Government. Perhaps in our Orders it will be best, to confine ourselves within the Letter of the Law, and to endeavour to effect such Regulations as may not therein be provided for by Recommendation and Example. — No Military Man can be uninformed of the importance of Dress for a Soldier, and the Uniform will I flatter myself be very soon generally Worn by the Officers, I will myself Consider it as highest dress.

That Gentlemen in Commission not sufficiently understanding their duty, will set about perfecting themselves I can have no doubt — Your proposal frequently to Assemble them together for

this

1799

This purpose must meet with general ap-
bation, and I have very strong Reasons for
Recommending the Measure. — The Public
Exigencies may soon Demand our Militar
Services, and the interests of our Country
and Reputation therefore Require we should
be fully Competent without delay — In the
Provision to enable the President of the Unit
States to repel Invasions, large Calculation
is made upon the Effective force of the Mis-
sippi Territory, but without the due infor-
mation of Officers, and attention to train
the Men, Disappointment and the most fatal
Consequences may ensue — No exertions on
my part however Sir, shall be wanting to a
State of Complete preparation for all Event
and I rest fully Assured of your Aid: for your
Zeal, Ability and disposition to Service as
a Military and Civil Officer within the Terri-
tory upon all Occasions which have as yet
Offered, there is the Strongest Testimony.

Major John Ellis Sir, being in the Commis-
sion of the Peace may very properly Adminis-
ter the Oath to the Military Officers of his Di-
ter, which if you have not transmitted your
Orders to him, I wish you would be so Obliging
as to Signify to him is my desire.

With

With all due respect, I am,

Sir,

your very humble Servant,

(signed) Winthrop Sargent

Lieutenant Colo. Daniel Clark.

Mississippi Territory

July 17th 1799

Sir.

— Upon the last Evening Colo. McKee made me acquainted with his appointment as an Agent to the Choctaw Nation — that previous to his Departure from Philadelphia, the Secretary at War had informed him no provision had been made for Presents to those Indians, and that our particular Freinds amongst them had become alarmed, and extremely uneasy thereupon. For relying upon Mr. Ellicotts promises, they had given the most positive Assurances of the intended Bounty of the United States; This Mr. McKee has learned in a Visit to the Nation previous to my seeing him.

I have Sir already Written you very much on those Subjects, so very interesting to the Territory, and important to the United States

— Sir

No 1799

—To the Indians our word Seems not unequivocally Pledged; I take leave to quote from Mr. Ellicotts writings.

From Natchez June 5th 1797 he writes to Turner Brashears.

"The United States will Annually distribute Goods amongst them as the Price of Freindship".

"I am charged with a Special Commission to the Nation, that I believe will be Satisfactory to them. but Circumstances at present forbid one to act."

Again 24th of August in a formal Speech to the red Squirrel, red Brother, and the other Chiefs and Warriors of the Choctaw Nation

"Your Brothers of the United States have not forgotten you— As soon as the line is marked, all our Choctaw Brothers who fall on the North side of it will be remembered with our Chickasaw Brothers, and receive good presents."

"Your Brothers of the United States will give you good Goods— they never give their red Brothers any thing that is bad."

"The Spaniards are soon to leave the Walnut Hills and Natchez, and when they go away

your Brothers from the United States will soon
Trades with Goods to those places, where you may
be supplied at a reasonable rate with every thing
you want, without being over-charged or imposed
upon"

All this Sir, and my former many Observations
upon Indian Affairs in this Country, I request
again to bring to your View, and Serious Consider-
ation — Soliciting the same may be laid before
the Secretary of War, if with you they are not
properly in Order; not having been instructed to
embrace that Channel for any of my Communi-
cations I have believed in you Sir, as the only
proper Organ upon all Occasions.

I have the honour to be, Sir.

With very sentiment of respectful
Consideration,

your very humble Servant

(signed) Winthrop Sargent

The Honourable Secretary of State.

Mississippi Territory.
July 20th 1799

Sir.

You having been appointed Treasurer of
Pickering County and the Duties thereof in the
present moment becoming Necessary, I have to re-
quest you would transmit unto me the Bonds
required

1799
July

required by Law, in order to Capacitate you to act in the said Office.

I have the honour to be—
Sir
your most Obedient
humble Servant
(signed) Winthrop Sargent

Thomas Green Esquire

(Circular)

Mississippi Territory
July 20th 1799

Sir

The honourable Congress having been pleased to direct that there shall be a District on the River Mississippi South of the State of Tennessee which shall include all the Waters Shores and inlets of the River Mississippi and other Navigable Rivers and Waters Connected therewith, lying within the Jurisdiction of the United States, and South of the Said State and that it shall be Lawful for the President of the United States to designate a proper place to be the Port of Entry and delivery within the Same, and to appoint a Collector to reside thereat.

And

And having been requested to transmit for the information of the President, an Opinion as to the proper place for Establishing a Custom house with the name of some person worthy to be entrusted with the office of Collector; I have taken leave Sir, to address you, with other intelligent Gentlemen of the Territory upon those Subjects, requesting you would be so obliging as to assist me to make the Necessary Communications as early as possible.

I have the honour to be,

Sir,

Your most Obedient

humble Servant

(signed) Winthrop Sargent

To the Honourable Judge M.Guire, The Honble Judge Bruin Colo. John Steele, Colo. John Gravatt Thomas Green Thomas Wilkins, George Fitzgerald, Daniel Clark, William Dunbar, Thomas Bunling John Ellis, Bernard Lintot, James M.Intosh and Peter Walker Esquires. Colo. Anthony Hutchins, Colo. Joseph Pannil, Major Benajah Osmun, William Vousdan Esquire, Isaac Gaillard Esquire, and Mr. Ebenezar Rees.

1799
July

Sir

Bellemont July 21st 99

Mr. Marschalk having this Evening, announced to me your Order for his immediate repairing to the Walnut Hills, I owe it to Public Service to inform you, I had the most positive assurance from General Wilkinson he should Continue at Natchez to Print the Laws of the Territory — that he has not Completed the Musicrs — That it cannot be done at the place of his destination — and furthermore, that this Removal will put it out of my Power to avail myself of the much needed facility in dispeminating information to the Public, in my Opinion at present of very great importance, not only to the Weal of this Territory, but of the United States, and which the General Assurance I should Command — I forbear to say more, flattering myself this may be sufficient to induce you to Continue Mr. Marschalk's Services to the Public, which he can only have it in his Power to render, by being suffered to remain in his present Command, and which for the reasons before detailed I presume to Solicit.

With much Esteem Sir,

I have the honour to be
your most Obed. Hum. Ser.

(Signed)
Winthrop Sargent

Major Cushing
Commanding in the Mississippi

Mississippi Territory
July 23 — 1799 —

The Governor has not yet appointed an Attorney, to Prosecute the Pleas of the United States or Territory in either of the Counties, — and Requests of the Justices of the Peace, to ask such Attention from some of the Gentlemen of the Bar, as shall be found Necessary.

(Signed) Winthrop Sargent

To the Justices of
Adams, & Pickering Counties.

His Excellency the Governor was pleased to appoint Officers of the Militia of the County of Pickering as follows to wit.

John Girault Esquire. Lieut. Col. Commandant
Roger Dixon Esquire Major.
Richard Harrison Esquire Major,

Thomas Calvit Esquire
William Thomas Esquire &
Arthur Carney Esquire Captains of Cavalry.

James Truly
Augustus Campbell &
Gibson Clark. Gentlemen Lieutenants of Cavalry

James Spain
Robert Miller &

74

1799
July

James Davenport, Gentlemen, Cornets.
Tobias Brashear
John Brooks and
George Selsor Esquires. Captains of Infantry
George Wilson Humphreys
William Smith
Lewis Reed Throckmorton &
Anthony Glaps Gentlemen Lieutenants.
Eden Brashear
William Collins, and
John Arden Gentlemen, Ensigns
Augustus Campbell Gentleman Adjutant

To each of whom according to their Several Grades he Granted a Commission in the general words (Mutatis Mutandis) of the Commission granted by him to Lieutenant Colo. Clark of the County of Adams, and dated the twenty fifth day of October 1790—

Militia Orders for Pickering County

August 1st 1799

The Commander in Chief takes the earliest opportunity to transmit unto Lieutenant Colo. Commandant Girault Commissions for the Officers of the Legion under his Command — He will be pleased to Administer unto them the Oa

required of all Officers by the "Act of the United States" and make a Certificate that they have taken the Same upon the back of their Commissions.

(signed) Winthrop Sargent

Mississippi Territory
August 1st 1799

Sir

When I had the pleasure of seeing you at Natchez, I mentioned unto you the name of John D. Burke who has in effect been banished the United States, for Publishing Some Villainous libels Against the President — He was presented therefor, and a Nolle Prosequi Ordered to be entered (he being an Alien) upon Condition of his leaving the Country. — He has been a dangerous Turbulent and very Mischievous Man in the only Government where I have known him, and from the University of Dublin was expelled for infamous Political Principles and Conduct — In this View and Ruled by our national good Will to the Spanish Government, I had intended to have prescribed him to the Governor of Louisiana — informed that he was to Embark from Charleston South Carolina for New Orleans where Notwithstanding the best possible Police he might Operate material Ill — ere he was enough known — The death of Governor Gayoso and his immediate Successor (as is here reported

leaves

1799 Aug

leaves me at a loss for more direct Communication than through your Sir, which I take leave to Request therefore you would be good enough to make in my name to the proper Characters, with fullest Assurances of my best Wishes private and Official.

I enclose unto you such of the Laws of this Territory as have been Printed, and will make them Complete as they come from the Press,— believing they may be useful and interesting.

With Respectful Esteem, I have the honour to be, Sir,

Your Obedient humble Servant

(signed) Winthrop Sargent

Evan Jones Esquire

New-Orleans

(Private)

Mississippi Territory

Natchez Aug 23d - 1799

Dear Sir,

I received your interesting Private Letter of the 20th of May upon the 31st Ult.: I will use the Cipher when Necessary — Enclosed you have the Number of my Letters, Public and Priv

Private, Commencing with my appointment to
this Government,— Colo Steele's ill State of health
and the want of safe Conveyance, has I be-
lieve necessarily delayed the Duplicates which
it is his Province to have transmitted.

I also received at the same time, your intro-
ductory Letter of Mr. Jones of the 10th of May,
and that of the 22d respecting J.C.B. Burke, both
of which shall receive the due attention.— Gover-
nour Gayoso dying Just as Mr. Jones passed this
and as yet having no knowledge of his Successor,
I requested him to take a favourable Opportunity
to make the Communications.

I will write Colo Hodgdon by this Opportunity
to request he would refund the 600 Dollars in
season— The Residue 400 of the 1000 I have before
formally advertized you Sir was expended in the
Tour to the Western Counties in the North Western
Territory.

To your Queries relative to Mr. Ellecotte &c I have to
Reply, that I have never heard of ought exceptionable
in his Public Conduct as a Commissioner in the
Country.— of the expences of the Business with
which he is entrusted, I have not the Smallest
information.— His Private Character has been
marked perhaps by some Traits disreputable,—
but I have have Sir— myself been induced to believe
they are derived from a Weak Fondness to his Son
Indulging him in a Mistress, and even taking

him

1799 aug

her to his own Table— thereby Countenancing the Faith that she was his own.

Mr. Dunbar I believe relinquished the Commission, from Necessary attentions to a Young Family and ill health;— having adjoded all the astronomical and absolutely Necessary in the View of the Spaniards, they were perhaps very willing to part with him to increase their own Emolument.— From various Conversations with Mr. Dunbar, Major Minor and Mr. Ellicotte Sir, I am inclined to believe, that Mr. Freeman was intemperate, imprudent, and very inattentive to Duty; but Facts whatever they were, may readily enough be Established if Required— Sundry Applications have been made to me heretofore upon this Subject which you will be made Acquainted with by Reference to the Secretary's Communications: if I have not been enough explicit Sir, you know you may Command me.

With high esteem and equal Respect I am,

Dear Sir,

your very humble Servant

signed Winthrop Sargent

The Honourable

Secretary of State

Natchez Aug.t the 3.d 1799

Sir.

Upon the 31.st Ult.o I was honoured by your first favour bearing date May the 20.th 1799

At my appointment to the Government of this Territory, and before I had quitted the North-Western Territory, I took leave to address to you a Letter upon Indian Affairs, and requesting to be informed if any, and what Communications should be made to your Office— Adding some matters of private Moment, but interesting only to myself.— It is possible this Letter may have miscarried, or that your multiplied engagements prevented its Notice.

In a Letter bearing date the 4.th Ultimo, and to the Secretary of State, I took leave Sir to request a reperusal of all my Communications, relative to the Indians, and that the same should be Submitted to you, if not perfectly in order in his Department— And this Sir, upon Strong Presumption that with very sufficient Reason, they are extremely dissatisfied— There are grounds to suppose French Emissaries are amongst them, and unless we seize the present Moment— unless we perform some of our Charitable promises they will Unite with our Foes in the very first Opportunity.

I endeavour to Conciliate them by Language but have never made them promises farther than that I would State their poverty to Government, and Solicit for them; My Economy has been Rigid; I

have

1799
aug.

have had many Visitors Chiefs Sent in by Mr
the Agent, with Considerable expectations
but the whole amount of Indian Goods d
tributed, with a few Blankets now on han
does not exceed four hundred Dollars, Supp
by a Mr. Hunt, and for which I drew a Bill
on the Department of State, enclosing the
ceipt therefor as a Voucher, a Duplicate of wh
shall be transmitted unto the Accountant ag
ably to your order.

Provisions have been issued very Sparingly
Bread and Beef alone, and this always obtain
by Request from the Military Commandants in
stead of Order. — Liquor never has been fur-
nished, save by the Glass, and in my own hou
as Refreshment. — The Planters bear the Burde
of feeding the Indians, and at times it is al
most intolerable, as my own Experience info
me: — 'tis no uncommon thing for us to be Visit
by two or three hundred Indians at a time, u
leave us only at the approach of the Sickly Se
son — they will be fed, and often eat up a
Poor Farmer in a few Meals. — Denial would
be Vain, but I tremble for the Consequences wh
may await the making thereof. — I recommend
Patience, and Venture Assurances, that due
Provision will be made by our Government —
That we shall effect some Stipulations with
those People, and be enabled to reap our Fields,
as well as Sow them.

They

They Country being never wholly without Indians and almost daily Complaints of aggression from them being made me, an Interpreter has seemed always essential— But two persons Speaking the Choctaw Language were within my knowledge, one of which a White man might possibly have been Procured for forty Dollars per Month,— The other is a Slave of Major Minors whom he was about taking to the Line, but whom I have detained, intending to allow him fifteen Dollars per Month and two Rations.— If the Measure meets not your Approbation Sir, I must discharge him. Colo McKee informs me of the Necessity of an additional Interpreter in the Choctaw Nation with your Observation, that the Appointment was with me,— Upon this also Sir I request your Instruction— And Generally Sir I shall, I perswade myself, be very much benefited by your Special Direction in Indian Affairs, and always as in Duty bound most implicitly Governed,

The Buildings to which you allude Sir, have been given up to my Care by General Wilkinson Some because it was inconvenient for the Militia longer to keep them, and others upon my Request made however upon Assurances that they never had been Considered as "Annexed to Military Posts" Under the Administration of the Spanish Government.

The

1799 The Letter which you Command me to transmit
aug. to Col.o M.cKee was not "enclosed" as you pro-
bly intended

With very respectful Consideration
I have the honour to be sir,
your most Obedient
humble Servant,
(signed) Winthrop Sargent

The Honourable
Secretary of War.

N.o 23. — Natchez August the 17.th 1799

Sir,

I was honoured with your Public Letter of the 20.th of May upon the 31.st ult.
The Petitions alluded to therein I pray may be brought forward in the next Sessions of Congress. — For this people with as little Consideration as Consideration, have published Suspicions of inattention thereto, either from the General Government. or their immediate Governor,- the latter probably was intended, and I should be extreme sorry, that to their very long list of imaginary Grievances, there should be added, one Real Cause of Complaint.

The

The Business of the Post Office shall receive all the aid which I can give it.— I do not write you Particularly thereupon by this Conveyance for the want of a former Letter upon the Subject, wherein I had made you some information, and which is with Col.o Steele, who resides some distance from me at my present writing.— if upon a review of the same I shall believe it essential to take additional Measures to obtain a knowledge of the Proper Route for the Mail &c, which may incur expense I shall use your Permission to draw for the Amount thereof.

Upon Indian Business the Secretary of War has wrote me— but by no means Satisfactorily.— I hope however he may Respond Speedily to my Letter of Reply, and I trust I shall be better endowed for the Absolute Exigencies of this Country.

He directs me to hire an Interpreter, during actual Visits of Indians only,— a matter altogether impracticable, but if otherwise, would certainly be attended with a much greater expense, than the keeping one Constantly in Pay.— In very urgent Occasions trifling presents he observes may be made, but furnishes me not with the Means, nor do I well understand the limitation.— but I flatter myself the Representation of General Wilkinson and my Strenuous.

Endea-

1799
aug.

Endeavours may prevail, and procure an annual Stipend for the Choctaws, for our well being here Seems to me (for very many reasons heretofore detailed) to depend on Such Measures.— Be this however as it may, with the greatest Latitude that may be given me, I shall Certainly Observe very Rigid Economy.— Such Always has been my Rule of Government, and I have to refer only to Investigation and Comparison for Demonstration.

The Public Building at Natchez was put into my Possession upon the first of July, by an Order of General Wilkinson previous to his departure.— Some few necessary Repairs to prevent its Tumbling down, I shall believe it Economy to direct.

By Colo. Steele's Communications you will Observe Sir, that I took the Necessary legal Steps to bring Coyle to trial within this Territory but without effect, and I have received no reply from the Executive of Tennessee to my demand, though made in due form.

I have received from the Secretary of the Treasury, a Request for information of a proper place, for the Port of Entry and Delivery within this District and a Suitable Person as a Collector, to which I delay Responding for a Short time only, in order to be myself better in

Journal

formed, and of which I request you Sir to be so Obliging as to advertize him. — It would have been well that I had been noticed of the Emoluments of the Office.

The Militia of this County are indeed badly Armed, but I am apprehensive, that the Price will be an insuperable Objection to their giving orders for a Supply at their own Expense: — I wish however, to be informed if they might be obtained immediately from Government if required, whether Prompt Payment would be Absolutely Necessary or if a Credit might be Obtained — The Laws of Virginia and Connecticut, have been Received, but of so Ancient a date, that I am apprehensive they will answer us no very good purpose.

With most respectful Consideration,
I have the honour to be Sir,
Your Obedient humble Servant

(Signed) Winthrop Sargent

The Honorable.
Secretary of State.

No 6

1799

aug.

Mississippi Territory

Natchez Augt. 10th 1799

Sir,

The enclosed Letter of Mr. Howard I do myself the honour of transmitting as a kind of Supplement to my information upon Indian affairs of the 3. Ult: and which I believe it my duty to make unto you.

I add only, that Mr. Howard is a Magistrate of the Mississippi Territory, of Judgment and Veracity.

With great Respect I have the honour to be, Sir,

Your Obedient humble Servant,

(Signed) Winthrop Sargent.

The Honble Secretary of War.

Mississippi Territory

Sir Natchez Sept. 4th 1799

In Consequence of your Directions of May the 14th I have Consulted the most intelligent Gentlemen of this Country, as to the proper Place for a Port of Entry and Delivery within the new District, and in the Result take leave to Name to you the Town of Natchez, and John F. Carmichael as the

Collector

Collector — He is a Citizen of Pensylvania, Surgeon in the Army, proposes to Resign, and establish himself in the Territory, and is well known to the honourable Mr. Ross, and most of the Pensylvania Members of Congress. — From an Acquaintance of many Years, I feel myself authorized to add (so far as it may influence my Testimony for the Sufficiency, and Respectability of his Character.

It is the Opinion Sir of many Gentlemen within the Territory, that increasing the Ports of Delivery, by permitting one at Clarksville, near the National Boundary, and another at the Bayou Pierre would much Accommodate the Inhabitants.

An Inflamation in my Eyes, which makes it extreme painful for me to write at present, will apologize I trust for my delay in Responding to your favour, and not being more particular at this time.

With high Respect I have the honour to be. Sir

Your Obedient humble Servant

(signed) Winthrop Sergent

The Honourable

Secretary of the Treasury

1799
Sept F.

Bellemont near Natchez
September 19th 1799

Sir,

Reconsidering the Subject of another application for the Courthouse, I believe it will most properly come from you to the Military and with Assurances, that it shall be to their use whenever needed; for in any immediate interference of mine, it would perhaps be my Duty to make such Observations upon the Treatment you have Stated to me to have Received in the former Application, as might possibly deprive us of it at this Moment, when it Seems to be so very Necessary, — indeed when we cannot do without it. — And when General Wilkinson arrives, I have no doubt it may be permanently confirmed for Civil Purposes.

In the Premises and all other transactions with the Military I have desired, and Repeat it, that a delicacy of Conduct may be observed to avoid and prevent, all Cause of Misunderstanding, and promote perfect Harmony.

The Idea that the Military would wish to triumph over the Civil Authority of this Country (which has been Suggested to me) is extreme painful — I persuade myself such Conduct can never obtain with the present Commander or any but the most ignorant, inconsiderate

For honour which strongly marks the Character of a Soldier, would Warn at Violating the Constitution of our Country.

I am, Sir,

your most Obedient, humble Servant

(signed) Winthrop Sargent

Mr. Evans—

Sheriff of the County of Adams

Bellemont Plantation

20th of September 1799

Sir

Having received from the Secretary of State a Letter of the 10th of December ult: Declaring "the Public Buildings (those of the Forts excepted) within the Mississippi Territory, ought to be in the hands and under the care of this Government" and instructing one to take charge of them accordingly, and that if necessity or Convenience at any time should render it proper to apply them to the use of the Military the application for them, ought be to myself, and that the Secretary of War, entirely concurred with him in such Opinion,— I communicated the same to General Wilkinson, and believing him to have Surrendered to me amongst other Public Buildings, the one at Natchez known formerly as a Hospital, I presumed after the due Attention to the Officer Occupying part thereof

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To appropriate as a Courthouse, and instruct the Sheriff Accordingly: not intending I assure you Sir, the Smallest disrespect to yourself or any Military Gentleman thereby.

Note— The foregoing was an unfinished letter put upon the file by mistake, and never Received any Address — by the Governor — L. Steele

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Private. No. 24 Mississippi Territory

September 20th 1799—

My Dear Sir,

In a late private Letter not made as matter of Record with me, and therefore I recollect not the Date, I furnished you with a List of Presentments from the Grand Juries of the two Counties within this Territory that you might be enough informed of the discontents amongst some of our Peoples.— Originating with the men of those Juries and their particular Associates, has been a Convention of the Territory by Delegates Elected, in some instances with formality, and after a very tedious Sitting, and such Violence of Proceeding as together with the Operation of Cooler Reflection Caused them to be deserted by almost every man of any Acknowledged Respectability— there has been

presented unto me an Address, the Essence of which is to Reprobate Generally my Appointments, and to demand that I should suffer them to Point out to me the proper Characters for Commission, Civil and Military, — in this Address they seem to believe, my information of Characters to have been derived from Mr. Ellicotte, and are incensed in the extreme against the Man — They proceed to charge him, with encouraging an Idea amongst this People that they would never be within the Jurisdiction of the United States, and inviting them to assume by Violence the Powers and Force of the Military of the United States within the District — But I owe it to Government to assure you Sir, that I am in Possession of a most respectful Address to this Gentleman highly honourable and which was presented to him at or near the termination of Spanish Authority here, by the Constituted Representatives of the whole People, called the Permanent Committee.

With the Address to me Sir was another to the Governor and Judges, recommending to us to Call upon the People to point out the Laws which we should adopt. Condemning our present Code in the Aggregate, and which I have referred to their honours, Determined however Sufficiently upon the Rule for my own Conduct.

To the Persons bearing the Address to me, I gave

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a few Observations Verbally, expressive of my anx-
ious desires to Promote the happiness of the Coun-
that in Legislating, the Judges and myself w
bound to Consult the General Interests — Th
the Laws of our Adoption, were for our own Gover
ment as well as theirs. — That we could not
wilfully Err, and would cheerfully amend, upon
Conviction that the Present Code was not adapte
to the situation and Circumstances of the Peopl
— that as to the Appointments within the Terri-
tory they would remain with myself, for so my
Sovereigns had Ordered — And that I should
Continue to Endeavour unerringly to Perform my
Duty, Satisfied that the Same would meet the
Approbation of the General Government, and eventu-
ally of all Good Men. — And further that I had no
Reason whatever (their Remarks notwithstanding)
to be dessatisfied with my Appointments; that
Innuendoes, and insinuations against the Gen-
tlemen in Commission Generally, or even an In-
dividual of them, could not Operate a Removal-
that the Proceeding was disingenuous and Wicked.
That direct charges of Malconduct, substantiated
by Facts Should alone influence me.

What Effect all this may have I know not —
I learn that upon Returning to the Committee,
they acknowledged, to have been Received, and treated
with

with great Politeness, and Adjourned to the Close of the Present Month — if in the Result any thing Material may take place, I shall believe it encumbent to Communicate.

I take leave Sir to enclose, and Request your Perusal of some Remarks which may be useful to the United States — I received them from, 374. 566,1141 699 410 062.13[illegible]0. 466.

Considering your many important Avocations, it might perhaps have been as well to have Addressed them immediately to the Secretary of the Treasury — but I am not Enough Acquainted with that Gentleman, to assure myself it might have been taken in good part, and I have the most insuperable dread of intrusions.

With this Letter Sir our Chief Justice leaves us, and I believe it encumbent upon me to give you this early information thereof, as it may, indeed it will be attended with Consequences highly injurious to the Territory. — From a Conversation with him, I find that his Return will depend upon the Opportunity of readily disposing of his Property in Virginia — The better means of Educating a Young Family within the Territory — and an Act of Congress for raising the Salary of the Judges, which perhaps may not take Place, and of course we are to expect his Resignation, — I suppose he will advertize you of his intentions upon his arrival in Virginia, and not [illegible]re. — Bruin will be the only remaining Judge, — Our Laws provide

for

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for a Court of Appeals, in the Commencement of the coming year, when the presence of two is Required. — I ardently pray Sir, that this matter may have your Serious Consideration, and that our Judges "reside" within the Territory, for so is Essential to the Welfare of the Country, and the Ordinance for its Government.

With every sentiment of most Respectful esteem, I am,

My Dear Sir

Your Obedient humble Servant

(signed) Winthrop Sargent

The Honorable, Secretary of State.

His Excellency the Governor was pleased to appoint Syman Harding Esquire attorney for the United States, and Territory, to whom he granted a Commission in the words following to wit.

By His Excellency

Winthrop Sargent Esquire.

Governour and Commander in Chief of the

Mississippi Territory.

To all who shall see these Presents — Greeting.

Know Ye, That reposing Special Trust and Confidence in the integrity diligence and abilities of Lyman Harding Esquire, I have appointed him to act as an Attorney for the United States, and Territory, and do authorize, empower, and require him to Prosecute within the Territory, all delinquents for Crimes and Offences against the United States, or the Territory, and all Civil actions in which the United States, or Territory aforesaid, shall be concerned. To Have and to hold the said Office, with all the Privileges, and Emoluments, to the same of right appertaining.

In Testimony whereof I have caused the Public Seal to be hereunto affixed.

Witness Winthrop Sargent.

Governour and Commander in Chief of

the

the Territory aforesaid. Dated near Natchez the twentieth Day of September, Anno Domini One Thousand Seven hundred and Ninety nine, and of the Independence of the United States the Twenty fourth.

(signed) Wm Thros Sargent.

By His Excellencys Command,

John Steele Secretary.

His Excellency was pleased was pleased to appoint Robert Stark Esquire Clerk of the Supreme Court of the Territory, and Grant him a* Commission in the General Words, (Mutatis Mutandes) of the Commission Granted by him to Bernard Pintot Esquire Treasurer for the County of Adams, (of the 5th of April 1799) and dated the twentieth day of September 1799

Robert Starks Commission

*see page 226

His Excellency the Governor was also pleased to appoint, William Skinner and William Miller Esquires, Justices of the Peace for the County of Adams, to each of whom he Granted a Commission in the General words, (Mutatis Mutandes) of the Commission Granted by him to Philander Smith Esqu

and

and others (of the Sixth of April 1799) and dated the twentieth of September 1799.

His Excellency was also pleased to appoint William Skinner Esquire Captain of Infantry Hugh Davis Lieutenant, John Pannil Lieutenant, vice Thomas Lovelace Resigned, Thomas Dawson Ensign vice John Pannil Promoted and Jesse Carter Ensign in the Militia of the County of Adams, to each of whom he Granted a Commission in the General words (Mutatis Mutandes) of the Commission Granted by him to Lieutenant Colonel Daniel Clark (of the 25th of October 1798) and dated the twenty eighth day of September 1799.

Miss'ippi Territory
September 20th 1799

Sir,

In reply to your Letter of the 30th Ult: this day received, I give you my Assurance of full Consent to your remaining in the Chickasaw Nation of Indians, so long as the same may be agreeable to them. — Provided that your Conduct will Comport with your Professions of Fidelity to the United States, and that you may be promoting the happiness of a People not as yet enough informed, as also the Public Weal

with

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1799

SNF

with wishes for your happiness

I am, Sir,

your most Obedient

humble Servant

(signed) Winthrop Sergent

Doctor — Grubb.

Chickasaw Nation

Mississippi Territory

Sir

September 20th 1799

This day Sir, I have received a Letter from Mr. Burd Grubb, in the Chickasaw Nation, expressing a desire to remain there from various motives, which he will no doubt very willingly detail to you. — Upon Enquiry of his Character, I have reason to believe him much attached to the Government of the United States, and that his Residence with those Indians, may at least be useful, from his professional knowledge as a Physician to Travellers through the Country. — I wish he may be indulged, under a full persuasion that his Demeanor will always be proper, — that it cannot Militate with the Interests of the United States, and may be of Public Utility.

With much esteem, I am

Sir

Sir,

Your Obedient

humble Servant

(signed) Winthrop Sargent

Major — Lewis.

Agent in the Chickasaw Nation

of Indians

General Militia Orders.

Mississippi Territory

October 4th 1799

The Governours Observations, and information of respectable Characters, Evincing that the Law for regulating Slaves within the Territory, is most Shamefully Violated, particularly upon Sundays, and the nights of that, and the Preceding day, and in a very notorious Manner, at, and in the Vicinity of the Town of Natchez, where Slaves are said to Assemble in Considerable numbers from distant Plantations, Committing great excesses, and Carrying on an illicit Traffic with the Aid and Connivance of the ill disposed. — To prevent which, and Preserve due order, the Commandants of Counties will be pleased to direct the Necessary Patrols, who are to be particular in Examination of Passports and Permits to the Slaves, for the Sale or Purchase of any Articles, or Commodities whatsoever, and to

pursue

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Pursue all due Measures for the Carrying into full force and Effect, the said Law, which is hereunto annexed, for the information of the Patrol Generally.

(Signed) Winthrop Sargent

N°. 25. Private.

Mississippi Territory
October 12th. 1799

My Dear Sir,

I take leave to introduce to you Mr. Daniel Clark junr. from Motives of great Personal Regard and a due Sense of those Services, which he has so often rendered unto our Country men at Orleans.

Mr. Clarks intelligence and information will so eminently Capacitate him to explain to you, some late Regulations for that Port, and which are unfriendly to our Commerce, that I notice them not in this Letter; I had believed from Reports, that this Gentleman might have been our Consul, in place of Mr. Jones. — Whose acknowledgement by the Spanish Government is a little Problematical, in Consequence of Offices he Sustains, said to be incompatible therewith. Should this Actually be the case Sir, Mr. Clarks Respectability, influence and Zeal, may Probably render him a very suitable Character for the Office if the same may be agreeable to him, but I am un-

in-

informed if he intends Continuing at Orleans, or to
return to his Plantations within this Territory —
however situated though, I persuade myself, I run
no hazard sir, in assuring you of his ready disposition
at all times to the Public Service.

With the most respectful Consideration,
I am, My Dear Sir,

Your Obedient humble Servant,

(signed) Winthrop Sargent.

The Honourable
Secretary of State.

Private No. 26 Mispisippi Territory
October 15th 1799

Sir

In several former Letters I have requested, that the Powers and Duties of Civil and Military Officers within this Territory in Peace or War should be defined even to common Capacity, to prevent those mistakes which in a Country so remote from the Seat of Government, and so embarrassed in its Communications, with the Heads of Departments, might involve very serious Consequences — For my own part I repeat my Assurance to avert them as much as in my Powers, by the most Conciliatory manner and Measures upon all Occasions, even to full Submission to all but very flagrant Violation of our Constitution and Laws until I am Specially instructed.

Under the Command of General Wilkinson in our

Country

1799
Oct.

Country I introduced this Subject, through a Gentleman high in Rank, with great Privacy as well as Public Character at Stake, we had but little to apprehend, and Notwithstanding our Variance in Sentiment upon the Deposits of the United States heretofore Advertized to you, matters went on very Smoothly.— I receieved from him every Public Accommodation which I required and with that Amiable Urbanity So proper in Official men.— But apprehending a different line of Conduct in those who might Succeed him.— that an inconsiderate, or intemperate Man in Military Command might by Omission of Duties, Sometimes indispensible, or the Commission of Rash proceeding, cause us to Realize the dreaded evils,— I Communicated my Sentiments very fully, and Received the Generals Assurances, of the most direct Provision to guard against them.— that the Gentleman who in Order must be left in Command, Should be instructed to Counsel with the Governour— this was not the Generals Expression for 'twas fuller and Seemed to proceed from a Perfect Unity of Sentiment and Apprehension— But Major Cushing, an Officer high in the Generals Confidence, I believe arriving about the time of his departure, revoked Such [illegible] intention, though he assured me from Orleans by Letter, that the Major who was in Command upon the Missisippi during his Absence had his Orders to Consult me in

very Exigency, and to render me every Services Compatible with his Military Duty — Which would under the present Administration of the Government been enough, had the Generals Arrangements been abided by and the disposition to Reciprocity of Civilities and Accommodation with the Subordinate Military Officers been but equal to my own. —

The General had ordered from Walnut Hills To Command at Natchez, an Officer Competent to Printing the Laws of the Territory; a Business of high Public moment and which we had no other means of Accomplishing — This Gentleman after being a good deal Mortified by his Military Friends for Printing was finally ordered away by Major Cushing, who would no otherwise consent to his pursuing this Work here, than by giving him a Furlough, notwithstanding my serious Remonstrances and shewing him that the Interests of this Territory and United States, required my disseminating information and intelligence which could be Effected only through the Medium of the Press. — Observing that an Officer might as well turn Taylor, or keep a Tavern at his Command, as to Print, if such had been Once his Profession.

I have been deprived of drawing Provision from the Fort here for the Indians — The Contractors Agent, has also declined supplying them, which places me in a very disagreeable situation, for I can not afford to Victual them at my own Expense, and indeed have not always the Means though I might be assured of Reimbursement — The Consequence must be that I shall make a Contract for this purpose, and at greater Expense probably than the present one, which under the Command of General Wilkinson

1799
Oct.

Wilkinson I always used for the Indian Department.

One of the Public Buildings within a short distance of the Fort at Natchez, and used as a kind of General Hospital, which was not surrendered as an appendage of the Fort,— which has laid waste almost all the time since my arrival, and which I had believed actually to have been given up to me by General Wilkinson, is now forcibly withheld.— I had ordered it appraised that it might have been paid for to the United States by the proper County, if it had been their pleasure, and for the use of the Court— The Sheriff was ordered to prepare it, but was indelicately I conceive informed that he would be prevented by a Guard.— though the Major afterwards loaned it to him for a Sitting of the Supreme Court, observing that he should have refused it upon the Governours Demand, his instructions from the Secretary of State notwithstanding, for he received no Orders but through the Secretary of War.— That the Governour had already Possessed One Building, to which he had no right, and in a very extraordinary Manner, by taking the Opportunity, between General Wilkisons departure, and his assuming the Command, but that he had stated the Same to the Secretary at War, and the annual Value of the house at two hundred Dollars.—

The Consequencies of Such Observations are so Obvious, that I forbear to mention them, or to say more upon the Major's Statement to the Secretary

cretary of War, further than that the whole Building
is estimated to be only of the Value of Dolls
that a part of it is Occupied by the Secretary as an
Office, — that I make no other use of the small resi
but as an Office for myself, and Occasionally to me
the Legislature and Indians. — 'Tis no Accommodati
to my Family.

If sir the Military Officers who may have temper
ance and Discretion (and none others should have
Command) might be instructed from the Secretary
of War, to be Governed by the Spirit of that Consti
tution which Vests Supremacy in the Civil Authority
of the United States and their Territories, — to
Reciprocate Delicacy and Civilities to Characters
in Commission, and when they feel themselves Con
strained to withhold Services or Accommodation
to do it with Decorum, that good Understanding
and Harmony Essential perhaps between Civil and
Military every where, but more especially in this
remote part of the Union, would be preserved inv
olate, — There is an Idea prevailing I believe in most
free Governments, that the Gentlemen of the Sword
would assume to Rule — My own Experience and
Observation, Convince me that they may Sometimes
exceed the proper limits, but I believe myself to be
as free of Jealousies as any Patriotic American
ought to be, and whatever Idea may prevail to
the Contrary, I trust you will believe sir, that
I feel no Disposition whatever to Trespass upon
Military Authority, but the Most Sovereign Res
pect for all the Constituted Powers under our Go
vernment.

d.

206

1799

Oct. 22

I have the honour to be,

Sir,

your Obedient humble Servt

signed Wm Hull Sargent

The Honorable

Secretary of State.

Sir:

October 23.. 1799

I received yours of the 22d of August Yesterday, and shall attend to all the matters thereof without delay. — Would it not be enough, if one Company of Infantry was Added, the Captain and Ensign from, or near Bay ou Pierre; and the Lieutenant from Palmers Fork, or the Captain from the Latter place, if more agreeable. — No matter which, and to Muster in Detachment, except upon Field days, and for Actual Service, when they might Assemble in Company.

You must Recommend to me proper Characters as Officers from Such Knowledge as your hopes of the Inhabitants, and I can myself also make Inquiries for information. — You know it would be very pleasing to me to find all the Necessary Qualifications of an Officer in men that would be Generally agreeable to the People, and You know also that I shall make no improper Appointments from any Consideration whatever.

I put the Motion relative to a Title for your

County

County Goal &c into Col° Sibley's hand, asking him to
View the Country &c. as soon as Convenient,—I have just
Confidence in him, and should most probably appro
his proceeding.— Supposing you should Prefs a Cert
of his attention.—He is very Obliging, and though Sur
Business can be no part of his Duty, he will not ly

Much Esteem and Good wishes for yourself
and Family. from
your humble Servant

(Signed) Winthrop Sargent

Col°. John Gibault.
Pickering County.

N°. 27. Mississippi Territory
November 1st. 1799.

Sir,

I have received your Letters of the 3 of June and also twenty Volumes of the Laws of the Laws of the United States to Complete the Sets intended for this Government but as I have no Notice of the Same I suspect a Previous or Accompanying Letter may have been mislaid.— they came to hand by a Mr. Berthoud a swiss Gentleman, who favored me also with a Triplicate of yours of the 20th. of May. and the Particular discription of I. D. Burke— whom I had previously Advertized to the Marquis de Casa Calvo Military Governour of Louisiana, through Mr. Jones and received in the Same Channel his Excellency's Assurance to Reciprocate upon any like Occasion.—

H

1799
Nov. 1

It seems proper I should tell you Sir, that Mr. Jones has not been acknowledged as Consul at Orleans, and that the Vice Consul is suspended because (as the former writes me) it has not been Usual for the Spaniards to allow of Consuls from Nations in Amity with them, in their American Ports, and the Government of the United States has not fixed the Matter of establishing one at New Orleans.

In your favour of the 3d of June, you tell me you will pay to Mr. Hunt to be replaced here as a Contingent Fund the sum of one Thousand dollars, for which and your Observations thereupon I request you to accept my thanks, with Assurances that no Public Monies in my hands shall ever be misapplied.— I deem myself so fortunate in my Connexions below, and rely so much upon Col: M'Ilee, in the Indian Country, that I flatter myself I shall not have immediate Occasion for Secret Service money, though I am not without my fears that our Neighbours are tampering with the Choctaws — 'tis reported they have pretty generally been Solicited to Visit at Orleans.— I vouch not for the truth thereof, but a Statement without doubt will soon be received from our Agent.— And I cannot pass this Occasion of again expressing my Solicitude, that Government should make some Provision for that nation, or prepare sufficiently to avert the Consequences of

omission

omission— They are bowed by deception and disappoint-
ment.

A part of the monies you have ordered me will be
applied to defray the Expense of Printing 200. Copies
of the Laws of the Territory— an Indian Interpreter
at fifteen Dollars per Month, from the October of 1799—
and a Building hired at Natchez as an Office, Ind
an Council House, and for the Judges and myself
in our Legislative Functions.— the latter expense
ceases from July— the first when as I have already ad-
vertized you a Public Building at Natchez, was given
up to me by General Wilkinson; it is occupied as
Offices by Colo. Steele and myself, and will occasion-
ly be used as before Specified, but is so much out of
repair, that Some Expence is Absolutely necessary to
prevent its tumbling down.

The Buildings at the Villa Gayoso, shall be particularly
Surveyed and Valued and Report made unto you thereof
without unnecessary delay.— I now only briefly tell
you, they Consist of a Church, Commandants and
Priests house, Small Barricks and Kitchen, all framed
Buildings ill finished.— the Chuch has been used as
a Courthouse, and I have permitted the Commandant
of the Militia to Occupy one of the dwelling houses for
the Preservation of the other,— But the Situation is
deemed Unhealthy and the County will press
erecting the necessary Accommodations, in another
Position, in which they will be indulged, as they must
build a Goal, and of Course the Villa Gayoso must
be evacuated— A Mr. Green (very wickedly I think) has
Set up a claim, relative to which we shall imme-
diately

1799
Nov. 1.

diately request the Counsel of the Attorney General.— as in Duty bound Sir, I shall Continue to defend the rights of the United States.—

although we had at first prepared to use the word District in lieu of County, which will account for my style of writing in the Letter you allude to, yet we have since adopted the Same, to your inscription upon the Seals.

In my Private Letter No. 24. of September 20th. In. Continued my Communications upon the Extraordinary Conduct of some of this People— Since that time, they have so matured the matter as to send forward an Agent with Representations to Congress, which it is unnecessary for me to observe upon.— Copies were furnished me but not until after his Departure, and to strongly mark their Contempt to authority, they are transmitted through the Indian Country without the Passports required by Law, although the bearer thereof was Advised of the Consequences,— As you Probably Sir, are not Acquainted with his Character I take leave to remark that he Seems to me, a very inconsistent, and intemperate Young man.— but not the representative of this People, for though passion, and the Acts of a few wicked and designing men for a time Seemed to prevail, yet reason is gaining Ground.— Examining the Addresses to myself, and to myself and the Judges, and those Memorials borne by the Agent, to Congress, you will observe a Retrocession of Subscribers, and indicative

of

of the prevailing temper of the times.— I know not if any attention will be bestowed upon the addresses of this Committee farther than as they have long since been espoused by your Executive.— The names of the Signers will first certainly be Enquired into, and their Consequence weighed in the scale of that general respectability of the Country, derived from the due Consideration and, in a Consciousness that my Public Conduct and its Motives can endure the test of investigation, I continue to Glory.— Government may at its pleasure, make experiments in the Mississippi Territory, but if I have a knowledge of the people, they are yet unfitted in every view of the matter for that Second Stage of Order, which a very few of its inhabitants, have at this time solicited.— We are fortunately endowed with Some Characters, that would do honour to any Country.— Dispassionate men of Cultivated minds, and more firmly attached to good Order by Families and Wealth, but they are not numerous and of our general State of Population you are already Advertized which to the Secretary of State, and for the information of Government renders it unnecessary for me to say more, nor could I answer it to my God or that Government to have been less expressive.

Upon the 20th of August Judge Tilton wrote me from New York, expressive of an intention to solicit Congress for an increase of pay to the Officers of this Government.— As it relates to myself Sir, I will only observe that my expences have arose to very Considerably upwards of three thousand Dollars Annually without including Beef and Bread, which has been furnished me from my Plantations; and but for that Passion for Fame which I believe will cease only with my being, I should decline the honourable Service

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1799

Nov. 1.

to which I have been appointed.—

Neither the Secretary's Office, or that of the Judges, can probably implicate them, in the common Expences of the Governour, but I am sufficiently authorized to say that places of Overseers upon many Plantations within the Territory would better Capacitate them to support themselves and Families, than their present Pay and Emoluments.— The Secretary may, probably will have to discharge the Duties of that Office, which Subjecting a man to much Company in all Countries, is found to be particularly Burdensome and Expensive in this, nor can we resist the force of habit, and the most Rigid Economy will not enough avail us.

The Judges it is admitted, should be independant in their Circumstances.— and it will not be asserted their present pay can make them so.— Men of fortune will not probably soon take their residence in this Country. Prospect of the necessary Law reading for the Bench.— and the Independence of Judges there for is not to be otherwise established, than by adequate Salaries from Government— these few remarks Sir, I have presumed to offer and merely to you, believing much in the good Effect of such Representations as you shall be induced to make, and because I think I owe it to the Country, and that you will Pardon the freedom.

I have heretofore Sir taken leave to trouble y

upon the subject of stamped paper for this Territory
purchase my application should have been to the
Secretary of the Treasury, but in the delay we may
possibly experience very ruinous Consequences.—
I again pray that we may be furnished, and that
your means be kindly made use of to avert for
the Territory, any Evils to which we may be expos
from delinquency.

With highest respect I am

&c. &c.

(signed) Winthrop Sargent

The Hon^ble

Secretary of State.

The Grove near Natchez,
Mississippi Territory,
November 7^th 1799

Sir,

I have received the extraordinary information from our Agent in the Choctaw Nation of Indians that a Conference is proposed to be held with them under the order of the Marquis de Casa Calvo; that they are invited for that purpose to the Lakes in a Letter from Simcon Favre Chief Indian Interpreter; a Copy of the Letter has not been obtained, but is said to be expressed in terms of high Aggravation; to purport, that his Catholic Majesty will take the Choctaw Indians (especially those who have received Spanish Commissions and Medals, and who have never exchanged them, for those of the United States) again under his care, and Clothe them as usual, and indeed novelly consigning Our Country of Negligence. — but as it is possible my informations may not be correct

1799
Nov. 7

I remonstrate not directly to the Marquis, and though it may be no part of Consular duty to attend to such Subjects, shall nevertheless avail myself of your Obliging offer of Services for a true Statement

The fifth article of the Treaty of Amity &c. between the United States and Spain, seems to apply to this Subject.— it will receive our Sacred attention by our Government, and must be equally respected by our Friends.

A Reference to the Correspondence which I had the honour to make with his Excellency's worthy Predecessor, and which I suppose may easily be had, will shew Strong Traits of the Amicable Disposition of the United States, and the delicacy invariably observed in all Transactions anywise Relative to the Indians within the Limits of Spain.— A Reciprocity we shall expect and demand, and I know my Country too well to believe they will submit to Indignity.— To avert the evils of a misunderstanding between two Powers whose Interests prepingly demand Amity, I believe to be no unimportant part of my Duty, and that the same may probably be better effected through you Sir, than by an Address made immediately to the Marquis in the full faith of the informations before mentioned, and which as it necessarily contain Strong Remonstrance and protest, would not be a very desirable introductory letter.

If it shall be found that the Marquis has invited the Indians North of our National Boundary

To a conference, I have to request Sir, you would be pleased to express to him from me, that I deem the same incompatible with the spirit of the Treaty, between our Countries.— and if that Language towards the United States has been used, which you will Observe, I have no inconsiderable cause to believe, it may not be improper to express to his Excellency my strong apprehensions, that it will be a source of very great Uneasiness, and be good Enough to Communicate to me in the Result, for the information of the General Government.

With respectful Consideration, Sir,

I am,

your Obedient,

humble Servant,

(signed) Winthrop Sargent.

Evan Jones Esquire

&c. &c.

New Orleans

Private No. 20.

Mississippi Territory

November 9th. 1799

Dear Sir,

I express'd to you upon the first instant, apprehensions of the misconduct of our Neighbours.— the enclosed Letters No.s 1. and 2. from the Choctaw Nation, received last Evening.— No. 3 to Mr. Evan Jones our Consul at Orleans, and No. 4 to Daniel Clark junior now at that place are in Point. and all I can add at present, as the Express who will bear this is in waiting.

I trust my Conduct may meet the approbation of

Government

1799
Nov. 9.

Government, and that the Problematical Conduct of Spain may induce seasonable arrangement.— We have resources in the upper Country, but previous notice might be essential.— I could wish you would peruse my Communications immediately after my arrival in the Territory; they were made under apprehensions of Invasion, and might apply.

With most respectful esteem, I am,

Dear Sir,

Your obedient, humble Servant

(signed) Winthrop Sargent

The Honourable

Secretary of State

Private

Mississippi Territory

November the 9th. 1799

Dear Sir,

Assured my Confidence is not misplaced and that you have the Interests of the United States in View and at heart at all times I enclose to you an Open Letter to Mr. Jones to be read Sealed and delivered, and to receive the advantage of your Zeal as far as is essential— to a man of your intelligence I need add no more— Of the propriety of Communicating at all with Mr. Jones, you will Judge— For all the Accompanying Letters, I request Certainly Facility and dispatch.— They probably will

go forward by yourself.— if not I believe Mr. Barth who is or will shortly be in Orleans may be a Conveyance— in case of danger from an Enemy, 'twill be necessary to destroy them.— all you can learn Relative to this extraordinary invitation for the Choctaws, I request you to detail to the Secretary of State and me.

With much esteem I am,

Dear Sir

Your Obedient

humble Servant

(signed) Winthrop Sargent

Mr. Daniel Clark Junior

New-Orleans

General Militia Orders.

Mississippi Territory, November 9th 1799.

The Governors important Duties of Attention to the Welfare and Safety of this People, forbid him longer to delay the full and Complete Organization and Efficiency of the Militia, agreeably to Law and Standing Orders— They are therefore to be in immediate preparation for Real and Active Service— To those who are not already provided with Knap and Haversacks or the necessary Means of carrying such Baggage

and

1799 and Provisions as might be proper, should
Nov. 9. they leave their homes, it is strongly recommended to furnish themselves — the Expence can be but trifling, and it is to be Calculated upon as amongst the Possibilities, that they may be wanted.

Commanding Officers of Legions will be pleased to make Correct returns of their Corps and Arms as immediately as possible.— And it is presumed there will be no Deficiency of the Ammunition and Accoutrements required by Law. — The Governour persuades himself of prompt Compliance with this Order — That there are no Characters within the Territory, so lost to all Regard for our general Respectability and Welfare, as to prevent or impede its Operation: a Continuation of that Conduct, observed with extreme Sorrow in some Characters (from whom there were better Expectations) and Evidently intended to frustrate Orderly and Constitutional Government may be productive of most fatal Consequences; and for which, such Characters would be Accountable to their Country and their God.

Every assistance of Accommodating and Consulting the Convenience of those enrolled in

in the Militia to the extent of Legal Limits, the Governour takes this Occasion to Observe to the Commandants of Legions, that in the few instances where Men of a Company are very much dispersed and distant they might be permitted to Assemble and Exercise upon the monthly Muster Days by Detachment, in Divisions of Companies, and under the Order of either of the Commissioned Officers.— Such Indulgence would probably Obtain unremitted Exertion and Attention on the part of the Men, and equally fit them for field Days or Actual Service.

To View the Militia Assembled under Arms is very much desired, and it is with great Anxiety the Governour waits for the County Commandants to name the Day.

(Signed) Winthrop Sargent

No 2.

The Grove near Natchez
November 9th 1799

Sir

Your Letter of October the 19th the only one I have received, was delayed until Yesterday; the Contents are indeed unpleasant, and I have indirectly remonstrated thereupon to the Governour of Louisiana— for want of the Letter of invitation to the Indians, I could not Consistently be direct.

Your own good Sense will instruct you to make

us

1799 Nov. 9. use of fairest words to the Red people; You can assure them of my unremitted Endeavours that they shall receive the Charity of Government — I have demonstrated to some of them extraordinary Friendship — A party that were with General Waynes Army at Fort Washington upon the Ohio. — the Circumstances may be remembered in the Nation, and are in Point to Shew the Interest I have taken in their Concerns, and may have its use

If you Should send in half a dozen leading Choctaws, Such, generally, as you may be doubtful of, I would endeavour to Conciliate them. — You must not lose sight that my means are Small, but I haps no Opportunity to the Genical Government, to have them increased, and to urge the interests of those people. — I have, and Shall Continue to transmit your informations to the Proper Department, but you will nevertheless, embrace every Occasion Yourself.

I am Anxious for the information you promised me from Tombigby, and also of a proper Route for the Mail Etc. agreeably to the Memorandums I gave you. — Be good enough to Number your Letters. — I shall do the Same, and this is N.o 2 of mine.

With much esteem Etc,

(Signed) Winthrop Sergeant.

Col.o John McKee Agent in the Choctaw Nation

His Excellency the Governor was pleased to issue a new Commission for the Court of Common Pleas in the County of Adams, and in the Words following viz.

Mississippi
Territory.

By Winthrop Sargent,

Governour of the Mississippi Territory.

To all, who shall see these presents — Greeting.

Know Ye, that I have by these Letters made Patent appointed and Commissioned as Justices of the Common Pleas in the County of Adams — Daniel Clark, Bernard Lintat, John Ellis, Thomas Wilkins, George Fitzgerald, John Collins, and William Kenner Esquires, and do authorize and empower them, or any three of them to hold and keep a Court of Record in the said County to be Styled agreeably to the in such case made and provided "The Court of Common Pleas of the County of Adams and therein to hold Pleas of Assize, Scire Facias, Replevins, and hear and determine all manner of Pleas, Actions, Suits, and Causes of a Civil Nature Real, personal, and Mixed, According to the Constitution and Laws of the Territory.

In Testimony whereof, I have caused the Public Seal to be hereunto affixed. and

undersigned

1799

Nov. 25.

undersigned my Name, Dated at Natchez, Territory aforesaid, this fourteenth day of November, Anno Domini One thousand Seven hundred and Ninety nine, and of the Independence of the United States the twenty fourth.

(signed) Winthrop Sergent

No 3 Natchez Nov[r] 25[th] 1799

Sir

I have receivce your three Letters introducing the War Killer, and three other Chiefs to whom I gave a Blanket and Leggings each, with Beef Corn and Pumpkins, which were by no means Satisfactory.— There was a Tall old Man amongst them, I recollect not now his name, (and your Letter is at the Plantation,) who was particularly troublesome— who demanded an Ox, and whom indeed it would have been difficult, to have satisfied— He produced a Bunch of Wampum given him as he said by your Interpreter, with instruction to boldly tell all his wants, and demand that they should be supplied.— that I was Rich, and ought to purchase for him, from the Stores in Natchez.— this was wrong in the Interpreter, and must not be repeated

They

They come attended by twenty and more of their
Nation, which you will readily Conceive in our
barraped Situation, could not have been very pleas

The Old man Spoke very much of the Spanish
invitation to their people, and the presents which
would be made to Such as accepted it. — I know
not how this may be, but I certainly can not
now emulate great Generosity — The Spaniards
may have their Views to Justify even extravagan
for the Choctaws. — they are dreading an incen
man of influence with the Creek Nation. — It is
our Policy I believe to Combate all Foes, without
Recurrence to the Savage Arm; it may not I think
be amiss to endeavour in Common Conversation
(not in formal Talks) and if not militating with
instructions, to instil this amongst the Choctaws,
and that in went of War, we should but of them
to remain in peace at home, whilst we ourselves
Should decide the Fate of Battles. — Such was
our Conduct — Such was our Language in the
War with Britain.

I send to your care a Letter for Franchamassa
tubba, which yo will be good enough to have inter
preted to his understanding — It is Accompanied
with a Small Compliment for his Wife, which I
Supposed might be more Acceptable, than a Small
present to him.

With much esteem &c. I am

(Signed) Winthrop Sargent

Col. John McKee

Agent in the

Choctaw Nation

224

1799

Nov-25

Natchez Mississippi Territory

November 25th 1799

I send you my good freend by the War-Killer with whom I am very well pleased a Small Keg of Liquor and two yards and a half of Red and Blue Broad Cloth. for your Wife, as a very small token of my good Will — I have it not in my power at present to offer any thing for your own Acceptance. — I should have been very glad to have met you before this Time, Face to Face, and to have assured you of the good Will of my Government, but as I know you must be attended by many of your people who would expect presents, and I have not the means to make them, I must postpone an invitation in Form, though this Subject is always in my mind, and I have Asked Charity for them, but the great Men who must order this have very much to attend to, and which requiring time they have not yet granted my Request — You who are Acknowledged a very Wise and Sensible man, are not now to be told, that two things cannot be well done at once, and that in a Country where there are Millions of people, many things must be done which probably had been left undone, at the Time when by the Treaty with Spain you were first Acknowledged to be within the Government, and Consequently under the

Lieutenant

particular care of the United States.

Mr. Ellicotte has I am told made you many promises, but I believe he was not authorized so to do, nor do I believe our Government will be informed thereof, till notice which I have sent forward shall arrive, and which did not come to me for sufficient Credit until very lately. — Many of your people visit me, and I endeavour to give them a hearty Welcome, but some leave me dissatisfied, because I do not take my Coat off my back and give it to them; indeed I do not know if even that would be Enough — but I trust we shall live to see them Wiser and enjoying much better Times, with Independence as the Whites. — What would be the result of sending some Ploughs, Hoes and Looms amongst you? would not the Example of the Creeks, and Chickasaws induce the Choctaws to Agriculture &c there are Certainly very great advantages in it and if you and I could be the happy Instrument of making it General amongst the Choctaws, it would gladden our hearts in our declining years as insuring the Welfare of their Children after them.

To Colo. McKee a very Respected White man appointed by our great Chief to reside amongst you and whom I am sure you will love and honour I refer you to have this Letter interpreted, it is

From the true Friend of all the Choctaws

(signed) Wintrech Surgent

Franchammassatubba

a Choctaw Chief.

224

1799

By His Excellency

Winthrop Sargent Esquire.

Governor and Commander in Chief of the Mississippi Territory.

To all, unto whom these presents shall Come- Greeting

Robert Stark's Commission

Know Ye, that I have Constituted and appointed, and do by these presents Constitute and appoint Robert Stark Esquire to be Clerk to the Supreme Court of the Mississippi Territory. and do hereby Authorize and empower him to do and perform all and whatsoever to the Office and duty of Clerk in the Said Court doth any Ways belong or appertain.

In Testimony whereof, I have caused the Public Seal to be hereunto affixed— Witness, Winthrop Sargent Esquire

(signed)
Winthrop Sargent

Governor and Commander in Chief. Dated in the Territory the twentyth day of September, Annoque Domini One Thousand Seven Hundred and ninetynine, in the twentyfourth Year of the Independence of the United States of America.

L S

By His Excellency's Command

John Steele Secretary

Certified the 1st Janf. 1800

1800 A transcript of this Journal commencing at
mf-1- Page 165. was made for transmission to the Secretary
of State and Authenticated in the words following
Copy of viz.

Journal. I do Certify that the foregoing ninety two pages
are a transcript of the Journal of Proceedings of the
Certified. Governor of the Mississippi Territory in his Executive
Department, from the thirtieth day of June 1799 until
the first day of January, one thousand eight hundred.

In Testimony of which, I have undersigned
my name, and affixed my private Seal as
Secretary in and for the Territory aforesaid,
in the County of Adams, this first day of Janu-
ary One thousand eight hundred-

John Steele [seal]

Transmitted from New Orleans in the Ship Chesapeak
on the of Jany. 1800- also a Copy of the Laws
for the same term- -

1799

Dec. 14

Natchez Decr. 14th. 1799

Yesterday Sir, I had the honour to receive your favour of the 16th. ult. with the declaration of the Governour of Louisiana, that the Choctaw Indians had not been invited by him to a Conference he am requesting to be advertized through you of my information — It was by our Agent in the Nation I was noticed thereof, and his informations came from some of the Chiefs — many of whom, have since made Communications of like import to me, and that in no inconsiderable numbers, they were upon their way to Orleans, which is all I have to add at present upon this Subject, though possible events may make it proper for me again to call it up, and again to trouble you — I enclose you a Copy of Laws, passed in a Second Session of the Legislature, and am with very much Respect and esteem.

Sir,

your obliged

and Obedient

humble Servant

(Signed) Winthrop Sargent

Evan Jones Esquire

Consul for the United States

New Orleans.

1799 Private }
Dec. 29 N°. 29 }

Mississippi Territory Dec. 29th. 1799

Sir,

Since I informed you of the invitation
Indian affairs. to a Conference from the Spaniards to our Choctaw
Indians, and the Communications of Letters thereupon
marked N°. 3. & 4. in my dispatches of the 9th. Ult. I have
received through Mr. Consul Jones at Orleans, as-
surances of the Marquis de Casa Calvo, upon his
invitation word of honour, that as far as he knew, there was
avowed not one word of truth in the Information I had
received — That so far from having Authorized an
invitation, he was totally ignorant of any — that
as he had no Orders from his Superiors to hold a
Conference, it was impossible he could give any for
such purpose; and he was well aware, that such a
Step would be Contrary to the Treaty Subsisting between
this Court and the United States — The Marquis
expressed to Mr. Jones, Some Surprize, that he Should
be thought Capable of Acting so Contrary to his duty.
Requesting to know the Source of my information, and
by an Aid de Camp, further formally, and again
declared unto him, that I had been misinformed.

But another Correspondent, whose name I gave you
in Cyphers in my letter of September 20th. N°. 24 —
writes upon the 27th. of November thus.

" Numbers of Choctaws arrive here, and as many
" as 700 are expected, with the intention it is said, of

1799
Dec. 29

Indian affairs

"of Complimenting the Marquiss on his arrival
" the time Corresponding too well with your
" information, not to Suspect them of other Views — I
" shall watch and advise you"

and again upon the 2d. Instant.

"The great Body of Indians who have been here after
" receiving Considerable presents have gone away —
" your Letter (meaning mine of November 7th to
" Mr. Consul Jones) has prevented any Congress or
" Public Talk if such was intended; and I believe
" little else than general Recommendations to live
" in peace have been Suggested to them. Captain
" Reed a Shawanese has been here for Some time
" and is in waiting he Says for a number of his
" Country men — You can easily learn from him
" at his return all that has been Said, as he must
" know every thing proposed to the Choctaws, he
" lived in the same house with their Chiefs.

"One of the Choctaws who lives in your
" Government has assured me, that the Shawanese
" only Recommended to them to live in friendship

"A number of the Choctaws have asked of
" the Governor Spanish Commissions, — this he
" was too wise to grant them, he has however to the best of
" my knowledge given Certificates to eleven of
" them, the Contents of which, as well as I am able
" recollect is"

That the Indian Chiefs named
" while the nation was in the Territory of his
" Catholic Majesty, was chief of Such a Village
" and was entitled to the great or Little Medal

1199

c. 29

"but that now the Spanish Government looked upon
"him as a Captain among his Nation, without
"pretending to any right of Nomination or inter-
"ference with their Concerns."

"One of these Certificates was read to me de-
"signedly by the Secretary of the Government
"and I pretended to pay no attention to it — I
"procured however the names of some of the Chiefs
"to whom they were Granted, and forward them
"to you, knowing that a Knowledge of this Cir-
"cumstance will be sufficient to enable you to
"get them, or Copies into your hands." — The Certifi-
"cates are in the Spanish Language, Granted by the
"Marquis De Casa Calvo, and Countersigned by the
"Secretary Andres Lopez de Armesto, having the
"Governor's Seal affixed to them."

My Correspondent has farther informed me of an Expedition preparing under the Command of Don Pedro Olivo, an Officer in the Province of Louisiana against Bowles with whose Character you must as- surely be well Acquainted — That the Gallies and Gun Boats, with all the Small Craft which Navi- gate near new Orleans and Pensacola, were to be sent upon it, with a Detachment of Regular Troops — Free people of Colour, and such of the Militia as could be prevailed on to March — Probably the force including Sailors, will be about 500 Men —

Col. Steele will transmit a Copy of Proceedings in

1799 Dec. 29.

in the Executive Department of this Govern[ment] for the last Six Months, by Water Conveyance to expedite its arrival at Philadelphia, and which I trust may Operate, as a Counteract to any Mis-representations which may be attempted by the indisposed of this Country.

I have the pleasure to believe Opposition to Government Expiring but am not yet happy enough to inform you of the the good order of the Militia— The Governours Exercising the Right of appointing the Militia Officers, though it is Acknowledged he has Chosen Some of the best Men, and that there are very few exception-able Characters in Commission, nevertheless is Said to be the cause of great Reluctance to be enrolled— I will again Address them upon this important Service due their Country, and if pos-sible Conciliate them to their true interests, in Obedience to Laws of the Territory.

disaffection of the Militia

the cause

With much Respect and esteem,

I am Sir,

your very Obedient

humble Servant,

(Signed) Winthrop Sargent.

The Honorable

Secretary of State